

Volume 45, Number 16  
Pages 1211–1296  
August 17, 2020

**SALUS POPULI SUPREMA LEX ESTO**  
*“The welfare of the people shall be the supreme law.”*



**JOHN R. ASHCROFT**  
**SECRETARY OF STATE**

**MISSOURI**  
**REGISTER**

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The *Missouri Register* is published semi-monthly by

**SECRETARY OF STATE**

**JOHN R. ASHCROFT**

Administrative Rules Division

James C. Kirkpatrick State Information Center

600 W. Main

Jefferson City, MO 65101

(573) 751 4015

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**ISSN 0149-2942**

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# MISSOURI



# REGISTER

August 17, 2020

Vol. 45 No. 16 Pages 1211-1296

## IN THIS ISSUE:

### EMERGENCY RULES

#### Department of Elementary and Secondary Education

    Division of Financial and Administrative Services . . . . . 1215

### EXECUTIVE ORDERS . . . . . 1220

### PROPOSED RULES

#### Department of Elementary and Secondary Education

    Division of Financial and Administrative Services . . . . . 1222

#### Department of Natural Resources

    Air Conservation Commission . . . . . 1228

    Safe Drinking Water Commission . . . . . 1237

#### Department of Social Services

    MO HealthNet Division . . . . . 1249

#### Retirement Systems

    The County Employees' Retirement Fund . . . . . 1255

#### Department of Health and Senior Services

    Division of Regulation and Licensure . . . . . 1257

#### Department of Commerce and Insurance

    State Board of Embalmers and Funeral Directors . . . . . 1259

### ORDERS OF RULEMAKING

#### Department of Conservation

    Conservation Commission . . . . . 1273

#### Department of Health and Senior Services

    Office of the Director . . . . . 1274

    Division of Regulation and Licensure . . . . . 1275

### IN ADDITIONS

#### Department of Agriculture

    Weights, Measures and Consumer Protection . . . . . 1276

### Department of Higher Education and Workforce Development

    Office of Workforce Development . . . . . 1276

### Department of Commerce and Insurance

    State Board of Pharmacy . . . . . 1276

### DISSOLUTIONS . . . . . 1278

### SOURCE GUIDES

**RULE CHANGES SINCE UPDATE** . . . . . 1280

**EMERGENCY RULES IN EFFECT** . . . . . 1285

**EXECUTIVE ORDERS** . . . . . 1287

**REGISTER INDEX** . . . . . 1289

Register Filing Deadlines	Register Publication Date	Code Publication Date	Code Effective Date
April 1, 2020 April 15, 2020	May 1, 2020 May 15, 2020	May 31, 2020 May 31, 2020	June 30, 2020 June 30, 2020
May 1, 2020 May 15, 2020	June 1, 2020 June 15, 2020	June 30, 2020 June 30, 2020	July 30, 2020 July 30, 2020
June 1, 2020 June 15, 2020	July 1, 2020 July 15, 2020	July 31, 2020 July 31, 2020	August 30, 2020 August 30, 2020
July 1, 2020 July 15, 2020	August 3, 2020 August 17, 2020	August 31, 2020 August 31, 2020	September 30, 2020 September 30, 2020
August 3, 2020 August 17, 2020	September 1, 2020 September 15, 2020	September 30, 2020 September 30, 2020	October 30, 2020 October 30, 2020
September 1, 2020 September 15, 2020	October 1, 2020 October 15, 2020	October 31, 2020 October 31, 2020	November 30, 2020 November 30, 2020
October 1, 2020 October 15, 2020	November 2, 2020 November 16, 2020	November 30, 2020 November 30, 2020	December 30, 2020 December 30, 2020
November 2, 2020 November 16, 2020	December 1, 2020 December 15, 2020	December 31, 2020 December 31, 2020	January 30, 2021 January 30, 2021

Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule. To review the entire year's schedule, please check out the website at [sos.mo.gov/adrules/pubsched](http://sos.mo.gov/adrules/pubsched).

## HOW TO CITE RULES AND RSMO

### RULES

The rules are codified in the *Code of State Regulations* in this system—

<b>Title</b>		<b>Division</b>	<b>Chapter</b>	<b>Rule</b>
3 Department	CSR <i>Code of State Regulations</i>	10- Agency Division	4 General area regulated	.115 Specific area regulated

and should be cited in this manner: 3 CSR 10-4.115.

Each department of state government is assigned a title. Each agency or division in the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraphs 1., subparagraphs A., parts (I), subparts (a), items I. and subitems a.

The rule is properly cited by using the full citation, for example, 3 CSR 10-4.115 NOT Rule 10-4.115.

Citations of RSMo are to the *Missouri Revised Statutes* as of the date indicated.

### ***Code and Register on the Internet***

The *Code of State Regulations* and *Missouri Register* are available on the Internet.

The *Code* address is [sos.mo.gov/adrules/csr/csr](http://sos.mo.gov/adrules/csr/csr)

The *Register* address is [sos.mo.gov/adrules/moreg/moreg](http://sos.mo.gov/adrules/moreg/moreg)

These websites contain rulemakings and regulations as they appear in the *Code* and *Registers*.

**R**ules appearing under this heading are filed under the authority granted by section 536.025, RSMo. An emergency rule may be adopted by an agency if the agency finds that an immediate danger to the public health, safety, or welfare, or a compelling governmental interest requires emergency action; follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances; follows procedures which comply with the protections extended by the Missouri and the *United States Constitutions*; limits the scope of such rule to the circumstances creating an emergency and requiring emergency procedure, and at the time of or prior to the adoption of such rule files with the secretary of state the text of the rule together with the specific facts, reasons, and findings which support its conclusion that there is an immediate danger to the public health, safety, or welfare which can be met only through the adoption of such rule and its reasons for concluding that the procedure employed is fair to all interested persons and parties under the circumstances.

**R**ules filed as emergency rules may be effective not less than ten (10) business days after filing or at such later date as may be specified in the rule and may be terminated at any time by the state agency by filing an order with the secretary of state fixing the date of such termination, which order shall be published by the secretary of state in the *Missouri Register* as soon as practicable.

**A**ll emergency rules must state the period during which they are in effect, and in no case can they be in effect more than one hundred eighty (180) calendar days or thirty (30) legislative days, whichever period is longer. Emergency rules are not renewable, although an agency may at any time adopt an identical rule under the normal rulemaking procedures.

**Title 5—DEPARTMENT OF ELEMENTARY AND  
SECONDARY EDUCATION**  
**Division 30—Division of Financial and Administrative  
Services**  
**Chapter 660—School Finance**  
**EMERGENCY RULE**

**5 CSR 30-660.085 Attendance Hour Reporting**

**PURPOSE:** This emergency rule establishes policies and standards for local education agencies (LEAs) for maintaining attendance hour records in accordance with Chapter 163, RSMo, to meet the health and safety needs of students and faculty if social distancing is necessary due to COVID 19 during the 2020 2021 school year.

**EMERGENCY STATEMENT:** This emergency rule is necessary due to the novel COVID 19 pandemic and local education agencies' (LEAs) need for flexibility in their methods to address their students' educational needs. The State Board of Education (board) voted on July 7, 2020, to grant the ability for LEAs to provide instruction and claim attendance hours in an alternative method otherwise not outlined in statute. This applies only for the 2020 2021 school year. Because COVID 19 has caused a disruption in the provision of educational services during the 2020 2021 school year, this emergency rule is necessary to protect the health, safety, and welfare of those students by ensuring that there will be regulations in place that provide LEAs with notice of the criteria set forth by the board on July 7, 2020. As a result, the board finds a compelling governmental interest, which requires this emergency action. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections extended in the Missouri and *United States Constitutions*. The board believes this emergency rule is fair to all interested persons and parties under the circumstances. A proposed

rule covering this same material is published in this issue of the *Missouri Register*. This emergency rule was filed on July 15, 2020, becomes effective August 1, 2020, and expires February 25, 2021.

(1) The following definitions apply to this rule:

(A) Alternative Methods of Instruction (AMI) Plan: The AMI plan is the plan submitted to and approved by the Department of Elementary and Secondary Education (department), enabled by section 171.033.5(2), and that allows the claiming of limited attendance when schools are closed due to exceptional circumstances;

(B) Alternative Methods of Instruction Extended (AMI X) Plan: The AMI X plan is the plan submitted to and approved by the department, enabled by this rule, and that allows the claiming of attendance when schools are closed or onsite attendance is modified due to COVID 19 during the 2020 2021 school year;

(C) Distanced Instruction: Students are offsite and receive instruction through online means or through the use of physical materials. Instruction includes teacher interaction as approved by the department in the LEA's AMI X plan;

(D) Fixed Blended Instruction: Students receive instruction under a planned pattern of onsite and distanced instruction that includes a minimum equivalent of two (2) full days of onsite instruction per week. For the purpose of this rule, fixed blended calendars are designed to support social distancing;

(E) Instruction During Quarantine: A group of students, such as a classroom or bus roster, receive distanced instruction for an identified period of time to protect public health;

(F) Intermittent Blended Instruction: Students in an entire school building or LEA receive distanced instruction during a period of interruption to the planned pattern. The planned pattern of onsite or fixed blended instruction is interrupted by local conditions that prevent any onsite instruction; and

(G) Onsite Instruction: Students are physically present at the school under the guidance and direction of teachers in the teaching process.

(2) LEAs that choose to offer instruction using fixed blended, instruction during quarantine, and/or intermittent blended models, must submit an AMI X plan to be approved by the department prior to implementation to claim attendance for payment purposes. AMI X plans may be submitted electronically to the department via the following link: <https://dese.mo.gov/quality-schools/alternative-methods-instruction>.

(A) LEAs may submit plans with models other than those defined in this rule for review and consideration by the department. The department's approval will be conditioned on the plan's compliance with state law and the ability to safely provide high quality instruction to students.

(3) LEAs that have received department approval for AMI X plans under section (2) prior to their implementation may claim attendance hours for distanced instruction as part of fixed blended, instruction during quarantine, and intermittent blended instruction. In such instances, distance instruction attendance will be calculated using the individual student actual onsite rate for the year.

(4) Hours associated with distanced instruction learning as part of fixed blended instruction and intermittent blended instruction are considered hours in session for the purposes of establishing minimum calendar requirement per sections 163.021 and 171.031, RSMo.

**AUTHORITY:** section 161.092, RSMo 2016, and sections 163.021 and 171.031, RSMo Supp. 2019. Emergency rule filed July 15, 2020, effective Aug. 1, 2020, expires Feb. 25, 2021. A proposed rule covering this same material is published in this issue of the *Missouri Register*.

**PUBLIC COST:** This emergency rule is estimated to cost state agencies or political subdivisions up to one hundred twenty five thousand dollars (\$125,000) for the duration of this emergency rule.

**PRIVATE COST:** This emergency rule is estimated to cost individual private entities up to twenty five thousand dollars (\$25,000) for the duration of this emergency rule.

**FISCAL NOTE  
PUBLIC COST****I. Title 5 - Department of Elementary and Secondary Education  
Division 30 - Division of Financial and Administrative Services  
Chapter 660 - School Finance**

<b>Rule Number and Name:</b>	5 CSR 30-660.085 Attendance Hour Reporting
<b>Type of Rulemaking:</b>	Emergency Rule

**II. SUMMARY OF FISCAL IMPACT**

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
0-555 Local Education Agencies (LEAs) and Charter Schools	\$0-\$125,000

**III. WORKSHEET**

The Missouri Department of Elementary and Secondary Education (department) estimates that individual costs associated with changes to Local Education Agencies' (LEAs') student information systems, which are necessary to comply with this Emergency Rule, will vary depending on the LEA and vendor.

The department estimates the vendor's absorbed costs to be from \$0-\$50,000 per vendor. The department assumes that these costs will be one-time costs for the vendor, and that there may be some additional costs assessed by the vendor to the individual LEA.

There are potentially up to five vendors that may assess costs to LEAs to update their student information systems.

The department estimates 50% of these costs may be assessed during the time this Emergency Rule is in effect.

$$5 \times \$50,000 = \$250,000 \times 50\% = \$125,000.$$

**IV. ASSUMPTIONS**

The department contacted the following Missouri student information system vendors to attempt to determine the fiscal impact of this Emergency Rule:

- Chalkable
- Common Goal Systems
- EduPoint
- Harris Computer Systems
- Infinite Campus
- Lumen
- PowerSchool
- STI
- Tyler

Of these nine vendors, only five responded to the department.

Four vendors indicated that they did not intend to pass any anticipated costs associated with this regulation on to the LEAs. The department would note that the vendors in this category provide services to approximately 80% or more of the LEAs.

A fifth vendor stated that it could not promise that it would not waive its fees to the LEA that it contracts with. The vendor did not provide what the estimated cost to the LEA would be. Without this information, the department does not have any mechanism by which to produce a public fiscal impact. The department would note that it did estimate, based on prior experience, that the cost to update the LEA student information systems for those vendors that do not pass on their costs will range from \$0-\$50,000, depending on LEA and vendor need. The department is unable to estimate any additional costs the vendors may assess to the LEAs.

The department assumes that approximately half of any costs assessed by vendors to LEAs will be applied before the 2020-2021 school year begins, and that half of the costs may be assessed after the expiration of the Emergency Rule. That being the case, there are continuing costs reflected in the Proposed Rule the department filed in conjunction with this Emergency Rule.

**FISCAL NOTE  
PRIVATE COST**

**I. Title 5 - Department of Elementary and Secondary Education  
Division 30 - Division of Financial and Administrative Services  
Chapter 660 - School Finance**

<b>Rule Number and Title:</b>	5 CSR 30-660.085 Attendance Hour Reporting
<b>Type of Rulemaking:</b>	Emergency Rule

**II. SUMMARY OF FISCAL IMPACT**

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
4	education software vendors	\$0-\$100,000

**III. WORKSHEET**

The Missouri Department of Elementary and Secondary Education (department) estimates that individual costs associated with changes to Local Education Agencies' (LEAs') student information systems, which are necessary to comply with this Emergency Rule will vary, depending on the LEA and vendor.

The department estimates the vendor's absorbed costs to be from \$0-\$50,000 per vendor.

There are at least four vendors that indicated they do not intend to pass on the costs associated with updates to LEA's student information systems. The department assumes that these will be one-time costs for the vendor.

The department estimates 50% of these costs may be assessed during the time this Emergency Rule is in effect.

$$4 \times \$50,000 = \$200,000 \times 50\% = \$100,000.$$

**IV. ASSUMPTIONS**

The department contacted the following Missouri student information system vendors to attempt to determine the fiscal impact of this Emergency Rule:

- Chalkable

- Common Goal Systems
- EduPoint
- Harris Computer Systems
- Infinite Campus
- Lumen
- PowerSchool
- STI
- Tyler

Of these nine vendors, only five responded to the department.

Four vendors indicated that they did not intend to pass any anticipated costs associated with this regulation on to the LEAs. The vendors would not provide what they anticipated for internal costs.

A fifth vendor stated that it could not promise that it would not waive its fees to the LEA that it contracts with.

The department has estimated, based on prior experience, that the cost to update the LEA student information systems for those vendors that do not pass on their costs will range from \$0-\$50,000, depending on LEA and vendor need.

The department assumes that approximately half of any costs assessed by vendors to LEAs will be applied before the 2020-2021 school year begins, and that half of the costs may be assessed after the expiration of the Emergency Rule. That being the case, there are continuing costs reflected in the Proposed Rule the department filed in conjunction with this Emergency Rule.

**T**he Secretary of State shall publish all executive orders beginning January 1, 2003, pursuant to section 536.035.2, RSMo.

## GOVERNOR'S PROCLAMATION

WHEREAS, crime rates have rapidly increased across our nation and state, primarily in urban areas; and

WHEREAS, Missouri is on track to have its deadliest year on record, having already experienced more homicides in the first half of 2020 than the entire year of 2019; and

WHEREAS, due to the COVID-19 outbreak, the General Assembly was only able to meet in limited fashion during the Second Regular Session of the One Hundredth General Assembly; and

WHEREAS, this unprecedented wave of violent crime presents an immediate threat to the health and safety of many Missourians; and

WHEREAS, protecting our citizens and the witnesses and victims of violent crimes is the paramount concern of our criminal justice system; and

WHEREAS, immediate legislative measures must be taken to further equip and enhance our criminal justice system to fight violent crime in Missouri and protect our citizens and residents.

NOW THEREFORE, on the extraordinary occasion that exists in the State of Missouri:

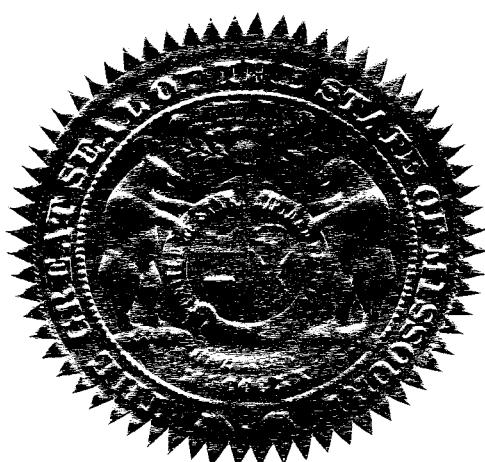
I, MICHAEL L. PARSON, GOVERNOR OF THE STATE OF MISSOURI, pursuant to the authority vested in me as Governor by the Constitution of the State of Missouri, do, by this Proclamation, convene the One Hundredth General Assembly of the State of Missouri in the First Extra Session of the Second Regular Session; and

I HEREBY call upon the Senators and Representatives of said General Assembly to meet in the State Capitol in the City of Jefferson at the hour of 12:00 p.m. on Monday, July 27, 2020; and

I HEREBY state that the action of said General Assembly is deemed necessary concerning each matter specifically designated and limited hereinafter as follows:

1. To enact legislation amending Section 84.344, RSMo for the sole purpose of removing the requirement that police officers in the City of St. Louis are required to maintain a residence in the City for at least seven years;
2. To enact legislation amending Section 211.071, RSMo to require courts to consider whether juveniles should be certified as adults in criminal cases for the offenses of unlawful use of a weapon and armed criminal action;
3. To add a new section to Chapter 285, RSMo to prohibit public safety employees of the City of St. Louis from being required to reside within the city limits;

4. To add a new section to Chapter 491, RSMo to allow for witness statement admissibility in court that would not otherwise be admissible, if the court finds that the defendant engaged in wrongdoing with the purpose of preventing the witness from testifying in the proceeding and the witness fails to appear;
5. To add a new section to Chapter 491, RSMo that creates a pretrial witness protection services fund where the Department of Public Safety may disburse money from the fund to law enforcement agencies for the purposes of providing security of witnesses, potential witnesses, and their immediate families in criminal proceedings or investigations, subject to appropriation from the General Assembly;
6. To enact legislation amending Section 568.045, RSMo in order to criminalize acts where a person knowingly encourages, aids, or causes a child less than seventeen years of age to engage in any weapons offense;
7. To enact legislation amending Section 571.060, RSMo to increase the penalty from a class A misdemeanor to a class E felony for persons who knowingly sell or deliver a firearm to a child less than eighteen years of age without the consent of the child's parent or guardian;
8. To add an Emergency Clause to all legislation enacted by the One Hundredth General Assembly, of the State of Missouri in the First Extra Session of the Second Regular Session;
9. To allow the Senate to consider appointments to boards, commissions, departments, and divisions that require the advice and consent of the Senate; and
10. Such additional and other matters as may be recommended by the Governor by special message to the General Assembly after it shall have been convened.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 15<sup>th</sup> day of July, 2020.

A handwritten signature in black ink, appearing to read "Michael L. Parson".

MICHAEL L. PARSON  
GOVERNOR

ATTEST:

A handwritten signature in black ink, appearing to read "John R. Ashcroft".

JOHN R. ASHCROFT  
SECRETARY OF STATE

**U**nder this heading will appear the text of proposed rules and changes. The notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This is set out in the Purpose section with each rule. Also required is a citation to the legal authority to make rules. This appears following the text of the rule, after the word "Authority."

**E**ntirely new rules are printed without any special symbol. Any under the heading of proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules which are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

**A**n important function of the *Missouri Register* is to solicit and encourage public participation in the rulemaking process. The law provides that for every proposed rule, amendment, or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

**I**f an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least thirty (30) days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than thirty (30) days after publication of the notice in the *Missouri Register*.

**A**n agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close of comments date will be used as the beginning day in the ninety- (90-) day-count necessary for the filing of the order of rulemaking.

**I**f an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice and file a new notice of proposed rulemaking and schedule a hearing for a date not less than thirty (30) days from the date of publication of the new notice.

Proposed Amendment Text Reminder:

**Boldface text indicates new matter.**

*(Bracketed text indicates matter being deleted.)*

**Title 5—DEPARTMENT OF ELEMENTARY AND  
SECONDARY EDUCATION**  
**Division 30—Division of Financial and Administrative  
Services**  
**Chapter 660—School Finance**

**PROPOSED RULE**

**5 CSR 30-660.085 Attendance Hour Reporting**

**PURPOSE:** This rule establishes policies and standards for local education agencies (LEAs) for maintaining attendance hour records in accordance with Chapter 163, RSMo, to meet the health and safety needs of students and faculty if social distancing is necessary due to COVID 19 during the 2020 2021 school year.

(1) The following definitions apply to this rule:

(A) Alternative Methods of Instruction (AMI) Plan: The AMI plan

is the plan submitted to and approved by the Department of Elementary and Secondary Education (department), enabled by section 171.033.5(2), RSMo, and that allows the claiming of limited attendance when schools are closed due to exceptional circumstances;

(B) Alternative Methods of Instruction Extended (AMI X) Plan: The AMI X plan is the plan submitted to and approved by the department, enabled by this rule, and that allows the claiming of attendance when schools are closed or onsite attendance is modified due to COVID 19 during the 2020 2021 school year;

(C) Distanced Instruction: Students are offsite and receive instruction through online means or through the use of physical materials. Instruction includes teacher interaction as approved by the department in the LEA's AMI X plan;

(D) Fixed Blended Instruction: Students receive instruction under a planned pattern of onsite and distanced instruction that includes a minimum equivalent of two (2) full days of onsite instruction per week. For the purpose of this rule, fixed blended calendars are designed to support social distancing;

(E) Instruction During Quarantine: A group of students, such as a classroom or bus roster, receive distanced instruction for an identified period of time to protect public health;

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(2) LEAs that choose to offer instruction using fixed blended, instruction during quarantine, and/or intermittent blended models, must submit an AMI X plan to be approved by the department prior to implementation to claim attendance for payment purposes. AMI X plans may be submitted electronically to the department via the following link: <https://dese.mo.gov/qualityschools/alternativemethodsinstruction>.

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(3) LEAs that have received department approval for AMI X plans under section (2) prior to their implementation may claim attendance hours for distanced instruction as part of fixed blended, instruction during quarantine, and intermittent blended instruction. In such instances, distance instruction attendance will be calculated using the individual student actual onsite rate for the year.

(4) Hours associated with distanced instruction learning as part of fixed blended instruction and intermittent blended instruction are considered hours in session for the purposes of establishing minimum calendar requirement per sections 163.021 and 171.031, RSMo.

**AUTHORITY:** section 161.092, RSMo 2016, and sections 163.021 and 171.031, RSMo Supp. 2019. Original rule filed July 15, 2020.

**PUBLIC COST:** This proposed rule is estimated to cost state agencies or political subdivisions up to one hundred twenty five thousand dollars (\$125,000) for the duration of this rule.

**PRIVATE COST:** This proposed rule is estimated to cost individual private entities up to twenty five thousand dollars (\$25,000) for the duration of this rule.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, ATTN: Kari Monsees, Division of Financial and Administrative Services, PO Box 480, Jefferson City, MO 65102 0480, or by email to DESE.AdminRules@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**FISCAL NOTE  
PUBLIC COST****I. Title 5 - Department of Elementary and Secondary Education  
Division 30 - Division of Financial and Administrative Services  
Chapter 660 - School Finance**

<b>Rule Number and Name:</b>	5 CSR 30-660.085 Attendance Hour Reporting
<b>Type of Rulemaking:</b>	Proposed Rule

**II. SUMMARY OF FISCAL IMPACT**

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
0-555 Local Education Agencies (LEAs) and Charter Schools	\$0-\$125,000

**III. WORKSHEET**

The Missouri Department of Elementary and Secondary Education (department) estimates that individual costs associated with changes to Local Education Agencies' (LEAs') student information systems, which are necessary to comply with this Proposed Rule, will vary depending on the LEA and vendor.

The department estimates the vendor's absorbed costs to be from \$0-\$50,000 per vendor. The department assumes that these costs will be one-time costs for the vendor, and that there may be some additional costs assessed by the vendor to the individual LEA.

There are potentially up to five vendors that may assess costs to LEAs to update their student information systems.

The department estimates 50% of these costs may be assessed during the time this Proposed Rule is in effect.

$5 \times \$50,000 = \$250,000 \times 50\% = \$125,000$ .

**IV. ASSUMPTIONS**

The department contacted the following Missouri student information system vendors to attempt to determine the fiscal impact of this Proposed Rule:

- Chalkable
- Common Goal Systems
- EduPoint
- Harris Computer Systems
- Infinite Campus
- Lumen
- PowerSchool
- STI
- Tyler

Of these nine vendors, only five responded to the department.

Four vendors indicated that they did not intend to pass any anticipated costs associated with this regulation on to the LEAs. The department would note that the vendors in this category provide services to approximately 80% or more of the LEAs.

A fifth vendor stated that it could not promise that it would not waive its fees to the LEA that it contracts with. The vendor did not provide what the estimated cost to the LEA would be. Without this information, the department does not have any mechanism by which to produce a public fiscal impact. The department would note that it did estimate, based on prior experience, that the cost to update the LEA student information systems for those vendors that do not pass on their costs will range from \$0-\$50,000, depending on LEA and vendor need. The department is unable to estimate any additional costs the vendor may assess to the LEAs.

The department assumes that approximately half of any costs assessed by vendors to LEAs will be applied before the 2020-2021 school year begins, and that half of the costs may be assessed after the expiration of the Emergency Rule. That being the case, there are initial costs reflected in the Emergency Rule the department filed in conjunction with this Proposed Rule.

**FISCAL NOTE  
PRIVATE COST****I. Title 5 - Department of Elementary and Secondary Education  
Division 30 - Division of Financial and Administrative Services  
Chapter 660 - School Finance - 660**

<b>Rule Number and Title:</b>	5 CSR 30-660.085 Attendance Hour Reporting
<b>Type of Rulemaking:</b>	Proposed Rule

**II. SUMMARY OF FISCAL IMPACT**

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
4	education software vendors	\$0-\$100,000

**III. WORKSHEET**

The Missouri Department of Elementary and Secondary Education (department) estimates that individual costs associated with changes to Local Education Agencies' (LEAs') student information systems, which are necessary to comply with this Proposed Rule will vary, depending on the LEA and vendor.

The department estimates the vendor's absorbed costs to be from \$0-\$50,000 per vendor.

There are at least four vendors that indicated they do not intend to pass on the costs associated with updates to LEA's student information systems. The department assumes that these will be one-time costs for the vendor.

The department estimates 50% of these costs may be assessed during the time this Proposed Rule is in effect.

$$4 \times \$50,000 = \$200,000 \times 50\% = \$100,000.$$

**IV. ASSUMPTIONS**

The department contacted the following Missouri student information system vendors to attempt to determine the fiscal impact of this Proposed Rule:

- Chalkable

- Common Goal Systems
- EduPoint
- Harris Computer Systems
- Infinite Campus
- Lumen
- PowerSchool
- STI
- Tyler

Of these nine vendors, only five responded to the department.

Four vendors indicated that they did not intend to pass any anticipated costs associated with this regulation on to the LEAs. The vendors would not provide what they anticipated for their internal costs.

A fifth vendor stated that it could not promise that it would not waive its fees to the LEA that it contracts with.

The department has estimated, based on prior experience, that the cost to update the LEA student information systems for those vendors that do not pass on their costs will range from \$0-\$50,000, depending on LEA and vendor need.

The department assumes that approximately half of any costs assessed by vendors to LEAs will be applied before the 2020-2021 school year begins, and that half of the costs may be assessed after the expiration of the Emergency Rule. That being the case, there are initial costs reflected in the Emergency Rule the department filed in conjunction with this Proposed Rule.

**Title 10—DEPARTMENT OF NATURAL RESOURCES**  
**Division 10—Air Conservation Commission**  
**Chapter 6—Air Quality Standards, Definitions, Sampling**  
**and Reference Methods and Air Pollution Control**  
**Regulations for the Entire State of Missouri**

**PROPOSED AMENDMENT**

**10 CSR 10-6.110 Reporting Emission Data, Emission Fees, and Process Information.** The commission proposes to amend subsection (3)(A) and (4)(B). If the commission adopts this rule action, it will be the department's intention to submit the changes to subsection (4)(B) to the U.S. Environmental Protection Agency to update the Missouri State Implementation Plan. The evidence supporting the need for this proposed rulemaking is available for viewing at the Missouri Department of Natural Resources' Air Pollution Control Program at the address listed in the Notice of Public Hearing at the end of this rule. More information concerning this rulemaking can be found at the Missouri Department of Natural Resources' Proposed Rules website [https://apps5.mo.gov/proposed\\_rules/welcome.action#OPEN2](https://apps5.mo.gov/proposed_rules/welcome.action#OPEN2).

*PURPOSE: This rule provides procedures for reporting emission related information and establishing emission fees for the purpose of state air resource planning. The purpose of this amendment is to change the air emission fee structure pursuant to section 643.079.10, RSMo. This proposed rulemaking will increase the emission fee for permitted sources from forty eight dollars (\$48) to fifty three dollars (\$53) per ton of emissions in calendar year 2021, and increase to fifty five dollars (\$55) per ton of emissions in calendar year 2022 and beyond. The increased emission fee will enable the department's Air Pollution Control Program to remain solvent and maintain its authority as the implementing agency of the federal Clean Air Act in the state of Missouri. The evidence supporting the need for this proposed rulemaking, per 536.016, RSMo, is section 643.079.10, RSMo, and the March 2, 2020, Air Program Advisory Forum Stakeholder Meeting.*

**(3) General Provisions.**

**(A) Emission Fees.**

1. Any installation subject to this rule, except sources that produce charcoal from wood, shall pay an annual emission fee per ton of applicable pollutant emissions identified in Table 2 of this rule based on previous calendar year emissions and in accordance with paragraphs (3)(A)2. through (3)(A)7. of this rule. The emission fee shall be *forty-eight dollars and no cents (\$48.00) per ton* fifty-three dollars and no cents (\$53.00) per ton emitted in calendar year 2021, and fifty-five dollars and no cents (\$55.00) per ton emitted in calendar year 2022 and thereafter.

2. For Full Emissions Reports, the fee is based on the information provided in the installation's emissions report. For sources which qualify for and use the Reduced Reporting Form, the fee shall be based on the last Full Emissions Report.

3. The fee shall apply to the first four thousand (4,000) tons of each air pollutant subject to fees as identified in Table 2 of this rule. No installation shall be required to pay fees on total emissions in excess of twelve thousand (12,000) tons for any reporting year. An installation subject to this rule which emitted less than one (1) ton of all pollutants subject to fees shall pay a fee for one (1) ton.

4. An installation which pays emission fees to a holder of a certificate of authority issued pursuant to section 643.140, RSMo, may deduct those fees from the emission fee due under this section.

5. The fee imposed in paragraph (3)(A)1. of this rule shall not apply to NH<sub>3</sub>, CO, PM<sub>2.5</sub>, or HAPs reported as PM<sub>10</sub> or VOC, as summarized in Table 2 of this rule.

6. Emission fees for the reporting year are due June 1 after each reporting year. The fees shall be payable to the Missouri Department of Natural Resources.

7. To determine emission fees, an installation shall be consid

ered one (1) source as defined in section 643.078.2, RSMo, except that an installation with multiple operating permits shall pay emission fees separately for air pollutants emitted under each individual permit.

**TABLE 2. Pollutant Fee Applicability**

<b>Pollutants Subject to Fees</b>	<b>Pollutants Not Subject to Fees</b>
PM <sub>10</sub> pri	PM <sub>2.5</sub> pri
SO <sub>2</sub>	CO
NO <sub>x</sub>	NH <sub>3</sub>
VOC	HAPs reported as PM <sub>10</sub> or VOC
HAP	
Lead	

(4) Reporting and Record Keeping. All data collected and recorded in accordance with the provisions of this rule shall be retained by the owner or operator for not less than five (5) years after the end of the calendar year in which the data was collected, and all these records shall be made available upon the director's request.

(B) Types and Frequency of Reporting. The requirements in this subsection are summarized in Table 4 of this rule.

1. All sources (Part 70, intermediate, and small) must submit a Full Emissions Report for the first full calendar year of operation and, for point sources, a Full Emissions Report is required for an initial partial year of operation.

2. Starting with reporting year 2011, subsequent years of operation reports or forms shall be submitted as follows:

A. Part 70 sources must continue to submit a Full Emissions Report annually;

B. Intermediate sources must submit a Full Emissions Report every third year after 2011 (subsequent years 2014, 2017, 2020, etc.) and may submit a Reduced Reporting Form in other years unless either or both of the following apply:

(I) Any change in installation wide emissions subject to fees of plus or minus five (5) tons or more since the last Full Emissions Report submitted requires a Full Emissions Report for that year; and

(II) A construction permit action issued under 10 CSR 10 6.060 section (5) or (6) requires a Full Emissions Report for the first full year the affected permitted equipment operates; and

C. Small sources may submit a Reduced Reporting Form for all subsequent years after a Full Emissions Report unless either or both of the following apply:

(I) Any change in installation wide emissions subject to fees of plus or minus five (5) tons or more since the last Full Emissions Report submitted requires a Full Emissions Report for that year; and

(II) A construction permit action issued under 10 CSR 10 6.060 section (5) or (6) requires a Full Emissions Report for the first full year the affected permitted equipment operates.

3. An installation may choose to complete a Full Emissions Report in any year.

**TABLE 4. Summary of Types and Frequency of Reporting**

<b>Installation classification</b>	<b>Emission Year</b>								<b>Years Beyond [2017] 2026*</b>
	<i>[2011] 2020</i>	<i>[2012] 2021</i>	<i>[2013] 2022</i>	<i>[2014] 2023</i>	<i>[2015] 2024</i>	<i>[2016] 2025</i>	<i>[2017] 2026</i>		
Part 70	Full Emissions Report	*							
Intermediate	Full Emissions Report	Reduced Reporting Form (subparagraph (4)(B)2.B.)	Reduced Reporting Form (subparagraph (4)(B)2.B.)	Full Emissions Report	Reduced Reporting Form (subparagraph (4)(B)2.B.)	Reduced Reporting Form (subparagraph (4)(B)2.B.)	Full Emissions Report	*	
Small Source	Reduced Reporting Form (subparagraph (4)(B)2.C.)	*							

\*Reporting requirements for years beyond [2017] 2026 are repeated in three (3) year cycles.

(e.g. requirements for years [2018] 2027, [2019] 2028, and [2020] 2029 are the same as years [2012] 2021, [2013] 2022, and [2014] 2023 respectively)

**AUTHORITY:** section 643.050, RSMo 2016. Original rule filed June 13, 1984, effective Nov. 12, 1984. For intervening history, please consult the **Code of State Regulations**. Amended: Filed July 15, 2020.

Air Quality Planning Section, Missouri Department of Natural Resources' Air Pollution Control Program, PO Box 176, Jefferson City, MO 65102 0176.

**PUBLIC COST:** This proposed amendment will cost sixty one thousand four hundred eighty five dollars (\$61,485) in FY 2022(emission year 2021). The proposed amendment will cost eighty six thousand seventy nine dollars (\$86,079) in FY 2023 (emission years 2022 and forward). The annual cost for each year beyond FY 2023 is eighty six thousand seventy nine dollars (\$86,079) for the life of the rule. Note the attached fiscal note for assumptions that apply.

**PRIVATE COST:** This proposed amendment will cost six hundred nine thousand one hundred ninety dollars (\$609,190) in FY 2022 (emission year 2021). The proposed amendment will cost eight hundred fifty two thousand eight hundred sixty six dollars (\$852,866) in FY 2023 (emission year 2022). The proposed amendment will cost eight hundred twenty two thousand forty five dollars (\$822,045) for each year beyond FY 2023 for the life of the rule. Note the attached fiscal note for assumptions that apply.

**NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS:** A public hearing on this proposed amendment will begin at 9:00 a.m., September 24, 2020. The public hearing will be held online with live video streaming available at <https://dnr.mo.gov/videos/live.htm> and by conference phone line at 866 289 6713. A recording of the public hearing meeting will be available at <https://dnr.mo.gov/env/apcp/macc.htm>. Opportunity to be sworn in by the court reporter over the phone to give testimony at the hearing shall be afforded to any interested person. Interested persons, whether or not heard, may submit a statement of their views until 5:00 p.m., October 1, 2020. Send online comments via the proposed rules web page [www.dnr.mo.gov/proposed.rules](http://www.dnr.mo.gov/proposed.rules), email comments to [apcprulespn@dnr.mo.gov](mailto:apcprulespn@dnr.mo.gov), or written comments to Chief,

**FISCAL NOTE****PUBLIC COST****II. RULE NUMBER**

Rule Number and Name:	<i>10 CSR 10-6.110 Reporting Emission Data, Emission Fees, and Process Information</i>
Type of Rulemaking:	Proposed Amendment

**II. SUMMARY OF FISCAL IMPACT**

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
<i>The DNR will incur no additional costs to implement the proposed rule amendment. The electronic systems to collect emission data and emission fees for facilities subject to this rule will remain in place and require only one change to the fee per ton value.</i>	<i>No cost to DNR</i>
<i>State agencies subject to this rule include the Missouri Department of Corrections, the Missouri Department of Transportation, the Missouri Department of Health, and the Office of Administration. Other municipal entities that are subject include municipal fossil-fuel electric generating plants, wastewater treatment facilities, animal shelters with pet crematories, hospitals, law enforcement agencies with incinerators, levee districts, and universities.</i>	<i>The resultant costs to state agencies and other municipal entities is \$61,485 for emission year 2021, payable by June 1, 2022 during fiscal year 2022. The cost is \$86,079 for emission year 2022, payable by June 1, 2023 during fiscal year 2023. The annual cost remains \$86,079 for emission year 2023 forward, payable by June 1 of each following year. The ten-year combined costs are \$836,196. The rule will continue beyond the ten-year period at the same annual cost as emission year 2023, with no sunset provision.</i>

**III. Worksheet**

SIC Description	2021 Chargeable Emissions (tons)	2021 Emission Fee at proposed \$53/ton	2022 Chargeable Emissions (tons)	2022 Emission Fee at proposed \$55/ton	2023 Chargeable Emissions (and beyond, tons)	2023 Emission Fee (and beyond) at proposed \$55/ton
Agriculture, Forestry, and Fishing	-	-	-	-	-	-
Construction	-	-	-	-	-	-
Finance, Insurance, and Real Estate	-	-	-	-	-	-
Manufacturing	175	\$ 9,275	175	\$ 9,625	175	\$ 9,625
Mining	-	-	-	-	-	-
Public Administration	113	\$ 5,989	113	\$ 6,215	113	\$ 6,215
Retail Trade	-	-	-	-	-	-
Services	1,551	\$ 82,203	1,551	\$ 85,305	1,551	\$ 85,305

<b>SIC Description</b>	<b>2021 Chargeable Emissions (tons)</b>	<b>2021 Emission Fee at proposed \$53/ton</b>	<b>2022 Chargeable Emissions (tons)</b>	<b>2022 Emission Fee at proposed \$55/ton</b>	<b>2023 Chargeable Emissions (and beyond, tons)</b>	<b>2023 Emission Fee (and beyond) at proposed \$55/ton</b>
Transportation, Communication, Sanitary Services	10,458	\$ 554,274	10,458	\$ 575,190	10,458	\$ 575,190
Wholesale Trade	-	-	-	-	-	-
<b>Grand Total</b>	<b>12,297</b>	<b>\$ 651,741</b>	<b>12,297</b>	<b>\$ 676,335</b>	<b>12,297</b>	<b>\$ 676,335</b>
Emission Fees at \$48/ton		\$ 590,256		\$ 590,256		\$ 590,256
<b>Net Emission Fee Increase</b>		<b>\$ 61,485</b>		<b>\$ 86,079</b>		<b>\$ 86,079</b>

Ten-year net increase in emission fees:

Emission Year 2021: \$61,485  
Emission Year 2022: \$86,079  
Emission Year 2023: \$86,079  
Emission Year 2024: \$86,079  
Emission Year 2025: \$86,079  
Emission Year 2026: \$86,079  
Emission Year 2027: \$86,079  
Emission Year 2028: \$86,079  
Emission Year 2029: \$86,079  
Emission Year 2030: \$86,079

Total: \$836,196

Note: All figures are in current 2018 dollar values. No attempt is made to account for interest or inflation.

#### IV. Assumptions

*The projection of chargeable emission tonnage includes the following assumptions:*

1. Emission fee remains at \$48/ton for emission years 2019 and 2020. The proposed rule amendment will take effect for the 2021 emission year and forward, therefore those years include the proposed emission fee of \$53/ton for emission year 2021, and \$55/ton for emission years 2022 forward.
2. Rule requirements for the calculation of emissions subject to fees (chargeable emissions) remain unchanged, including the pollutants subject to fees, the emission caps of 4,000 tons per pollutant and 12,000 tons facility total, and facilities exempt from fees (charcoal kilns and facilities with no production and no emissions for the emission year).
3. Actual emissions for the continuous emission year, corresponding to the calendar year January 1 to December 31, are reported by facilities subject to air permits, per 10 CSR 10-6.110. The emission estimates presented here are based on reported 2018 total chargeable emissions.
4. Emission projections were done for all facilities subject to emission fees in 2018. The beginning year for the projections is the 2018 emission year actual reported emissions from all facilities subject to the rule. For the largest emission sources, facility-specific emission projections reflect emission changes due to shutdowns and emission reductions between 2018 and 2023. All other facilities are assumed to operate through the period. No estimates are added for new facilities that may open during the period. All facility emissions are assumed at a constant level at their 2023 emissions beyond that year.
5. Emission data for 2019 became available near the end of the rule analysis work, though some facilities did not complete their reports as of May 2020. The 2019 data has not been quality assured and was not used for these analyses.
6. The total lifetime rule cost may be reported for rules in the fiscal note. Data is provided for the first ten-year period, with annual data available in the worksheet above if projections are needed beyond ten years. Additional rule analyses are likely as this proposal does not fully meet program solvency needs, and the program is committed to working with fee stakeholders on future solvency issues.

7. All categorization of facilities into private and public ownership are assumed to remain the same as in 2018. No ownership changes from public to private, or vice versa, are expected.
8. All SIC assignments in 2018 are assumed to remain the same in future years.

**FISCAL NOTE**

**PRIVATE COST**

**I. RULE NUMBER**

Rule Number and Name	<i>10 CSR 10-6.110 Reporting Emission Data, Emission Fees, and Process Information</i>
Type of Rulemaking	Proposed Amendment

**II. SUMMARY OF FISCAL IMPACT**

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule action:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the proposed rule action by the affected entities:
<i>1,900 sources would be affected by the adoption of the proposed rule action.</i>	<i>All businesses with air pollution permits are affected. Sources with permits include those that have the potential to emit pollutants above specific thresholds. The types of activities that generate emissions include fuel combustion, painting and coating, processing and refining of minerals, and material handling that generates particulate emissions.</i>	<i>The proposed rule will become effective in 2022, and the first emission fees due under the revised emission fee would be for the 2021 emission year. The estimated total cost to comply with the proposed rule change is \$609,190 for emission year 2021, payable by June 1, 2022 during fiscal year 2022, and \$852,866 for emission year 2022, payable by June 1, 2023 during fiscal year 2023. The estimated cost is \$822,045 for emission years 2023 and beyond, payable by June 1 of each following year.</i>
Two Digit SIC Category*	Number of Facilities	2018 Total Chargeable Emissions (tons)

	01-09: Agriculture, Forestry, and Fishing	40	336	
	10-14: Mining	344	2,163	
	15-17: Construction	3	11	
	20-39: Manufacturing	1,004	52,179	
	40-49: Transportation, Communication s, Sanitary Services	169	70,781	
	50-51: Wholesale Trade	187	1,030	
	52-59: Retail Trade	2	4	
	60-67: Finance, Insurance, and Real Estate	2	9	
	70-89: Services	149	812	
	90-99: Public Administration	0	0	
	<b>Grand Total</b>	<b>1,900</b>	<b>127,325</b>	

\*Two digit SIC classifications group businesses into large economic categories. Additional detailed information, down to the most-specific four-digit business classification, is available below.

The list below is a selection of only the most impacted full SICs based on number of facilities or total 2018 emission tonnage.

<b>SIC Group</b>	<b>Four Digit Detailed SIC</b>	<b>Number of Facilities</b>	<b>2018 Total Chargeable Emissions (tons)</b>
01-09: Agriculture	0724: Cotton Ginning	27	309
10-14: Mining	1422: Crushed and Broken Limestone	304	1,805
	1442: Construction Sand and Gravel	19	38
	1446: Industrial Sand	6	93
	1031: Lead and Zinc Ores	9	164
20-39: Manufacturing	3241: Cement, Hydraulic	9	14,521
	3274: Lime	7	9,456
	3711: Motor Vehicles and Passenger Car Bodies (automobiles)	3	3,153

<b>SIC Group</b>	<b>Four Digit Detailed SIC</b>	<b>Number of Facilities</b>	<b>2018 Total Chargeable Emissions (tons)</b>
	3273: Ready-Mixed Concrete	270	549
	2951: Asphalt Paving Mixtures and Blocks	87	804
40-49: Transportation, Communications, Sanitary Services	4911: Electric Services (fossil fuel power generation)	38	63,330
	4953: Refuse Systems	55	600
	4922: Natural Gas Transmission	15	5,838
50-51: Wholesale Trade	5171: Petroleum Bulk Stations and Terminals	19	437
	5153: Grain and Field Beans	90	337
	5191: Farm Supplies	63	106
70-89: Services	8062: General Medical and Surgical Hospitals	31	315
	7389: Business Services (packaging and labeling)	5	168
	7261: Funeral Services and Crematories	77	75

### III. Worksheet

<b>SIC Description</b>	<b>2021 Chargeable Emissions (tons)</b>	<b>2021 Emission Fee at proposed \$53/ton</b>	<b>2022 Chargeable Emissions (tons)</b>	<b>2022 Emission Fee at proposed \$55/ton</b>	<b>2023 Chargeable Emissions (and beyond, tons)</b>	<b>2023 Emission Fee (and beyond) at proposed \$55/ton</b>
Agriculture, Forestry, and Fishing	336	\$ 17,808	336	\$ 18,480	336	\$ 18,480
Construction	11	\$ 583	11	\$ 605	11	\$ 605
Finance, Insurance, and Real Estate	9	\$ 477	9	\$ 495	9	\$ 495
Manufacturing	53,353	\$ 2,827,709	53,353	\$ 2,934,415	53,353	\$ 2,934,415
Mining	2,163	\$ 114,639	2,163	\$ 118,965	2,163	\$ 118,965
Public Administration	-	-	-	-	-	-
Retail Trade	4	\$ 212	4	\$ 220	4	\$ 220
Services	812	\$ 43,036	812	\$ 44,660	812	\$ 44,660
Transportation, Communication, Sanitary Services	64,120	\$ 3,398,360	64,120	\$ 3,526,600	59,717	\$ 3,284,435
Wholesale Trade	1,030	\$ 54,590	1,030	\$ 56,650	1,030	\$ 56,650
<b>Grand Total</b>	<b>121,838</b>	<b>\$ 6,457,414</b>	<b>121,838</b>	<b>\$ 6,701,090</b>	<b>117,435</b>	<b>\$ 6,458,925</b>
Emission Fees at \$48/ton		\$ 5,848,224		\$ 5,848,224		\$ 5,636,880
<b>Net Emission Fee Increase</b>		<b>\$ 609,190</b>		<b>\$ 852,866</b>		<b>\$ 822,045</b>

Ten-year total emission fees:

Emission Year 2021: \$609,190

Emission Year 2022: \$852,866

Emission Year 2023: \$822,045

Emission Year 2024: \$822,045

Emission Year 2025: \$822,045

Emission Year 2026: \$822,045

Emission Year 2027: \$822,045  
Emission Year 2028: \$822,045  
Emission Year 2029: \$822,045  
Emission Year 2030: \$822,045  
Total: \$8,038,416

Note: All figures are in current 2018 dollar values. No attempt is made to account for interest or inflation.

#### IV. Assumptions

*The projection of chargeable emission tonnage includes the following assumptions:*

1. Emission fee remains at \$48/ton for emission years 2019 and 2020. The proposed rule amendment will take effect for the 2021 emission year and forward, therefore those years include the proposed emission fee of \$53/ton for emission year 2021, and \$55/ton for emission years 2022 forward.
2. Rule requirements for the calculation of emissions subject to fees (chargeable emissions) remain unchanged, including the pollutants subject to fees, the emission caps of 4,000 tons per pollutant and 12,000 tons facility total, and facilities exempt from fees (charcoal kilns and facilities with no production and no emissions for the emission year).
3. Actual emissions for the continuous emission year, corresponding to the calendar year January 1 to December 31, are reported by facilities subject to air permits, per 10 CSR 10-6.110. The emission estimates presented here are based on reported 2018 total chargeable emissions.
4. Emission were projected for all facilities subject to emission fees in 2018. The beginning year for the projections is the 2018 emission year actual reported emissions from all facilities subject to the rule. For the largest emission sources, facility-specific emission projections reflect emission changes due to shutdowns and emission reductions between 2018 and 2023. All other facilities are assumed to operate through the period. The emission projection reflects one facility-specific emission decrease in the "Transportation, Communication, and Sanitary Service" sector. No estimates are added for new facilities that may open during the period. All facility emissions are assumed at a constant level at their 2023 emissions beyond that year.
5. Emission data for 2019 became available near the end of the rule analysis work, though some facilities did not complete their reports as of May 2020. The 2019 data has not been quality assured and was not used for these analyses.
6. The total lifetime rule cost may be reported for rules in the fiscal note. Data is provided for the first ten-year period, with annual data available in the worksheet above if projections are needed beyond ten years. Additional rule analyses are likely as this proposal does not fully meet program solvency needs, and the program is committed to working with fee stakeholders on future solvency issues.
7. All categorization of facilities into private and public ownership are assumed to remain the same as in 2018. No ownership changes from public to private, or vice versa, are expected.
8. All SIC assignments in 2018 are assumed to remain the same in future years.

**Title 10—DEPARTMENT OF NATURAL RESOURCES**  
**Division 60—Safe Drinking Water Commission**  
**Chapter 16—Drinking Water Fees**

**PROPOSED AMENDMENT**

**10 CSR 60-16.010 Levy and Collection of the Missouri Primacy Fee.** The department is amending the purpose statement and sections (2), (3), and (4).

**PURPOSE:** This amendment revises the amount of the annual Missouri primacy fee and describes the method for collection and delinquent payment of the fee. Section 640.100, RSMo, gives the Missouri Department of Natural Resources the authority to conduct a comprehensive review of this fee and to develop a proposed fee structure based on stakeholder involvement. The proposed amendment was developed by a drinking water stakeholder group.

**PURPOSE:** This rule levies and sets the amount of the Missouri primacy fee and describes the method of collection and delinquent payment [of the fee]. The fees established in section 640.100.5(2) and (3), RSMo, are effective through December 31, 2021. The fee structure in this rule becomes effective on January 1, 2022.

(2) This rule levies and imposes the Missouri primacy fee authorized by 640.100/[5].5(2) and (3), RSMo. Nothing in this rule in any way affects the obligation of a customer to pay the Missouri /P/primacy /F/fee.

(A) The annual Missouri primacy fee per customer service connection for unmetered customers and customers with meters not greater than one inch (1") in size shall be based upon the number of service connections in the water system serving that customer as of September 1 of each annual fee period as follows:

<i>1—1000 connections</i>	<i>\$3.24</i>
<i>1001—4000 connections</i>	<i>\$3.00</i>
<i>4001—7000 connections</i>	<i>\$2.76</i>
<i>7001—10,000 connections</i>	<i>\$2.40</i>
<i>10,001—20,000 connections</i>	<i>\$2.16</i>
<i>20,001—35,000 connections</i>	<i>\$1.92</i>
<i>35,001—50,000 connections</i>	<i>\$1.56</i>
<i>50,001—100,000 connections</i>	<i>\$1.32</i>
<i>More than 100,000 connections</i>	<i>\$1.08/</i>
<b>11 10,000 connections</b>	<b>\$5.28</b>
<b>10,001 50,000 connections</b>	<b>\$4.80</b>
<b>50,001 100,000 connections</b>	<b>\$4.20</b>
<b>Greater than 100,000 connections</b>	<b>\$3.48</b>

(B) The annual Missouri primacy fee per service connection for unmetered customers and customers with meters not greater than one inch (1") in size for community water systems with ten (10) or fewer connections shall be fifty dollars (\$50) divided by the number of connections in the water system.

*[(B)](C)* The annual primacy fee for customers having meters greater than one inch (>1"), but less than or equal to two inches ( $\leq 2"$ ) in size, shall be *[seven dollars and forty-four cents (\$7.44)] twenty-one dollars (\$21)*; for customers with meters greater than two inches (>2"), but less than or equal to equal to four inches ( $\leq 4"$ ) in size, shall be *[forty-one dollars and sixteen cents (\$41.16)] one hundred and two dollars (\$102)*; and for customers with meters greater than four inches (>4") in size shall be *[eighty-two dollars and forty-four cents (\$82.44)] one hundred ninety-eight dollars (\$198)*.

*[(C)](D)* Customers served by multiple connections shall pay an annual primacy fee based on the rates listed in *[subsection (2)(B)]* this section for each connection, except that no single facility served by multiple connections shall pay a total of more than five hundred dollars (\$500) per year.

(3) Fee Period and Collection.

(A) The annual fee period is September 1 through August 31 of each calendar year, unless an alternate schedule *[was]* has been approved by the department.

*[(B) If a service connection has no customer of record for all of the annual fee period, no fee will be collected with respect to that service connection. If the service connection has a customer of record for any part of the annual fee period, or alternate schedule approved by the department, the fee will be pro-rated to reflect time of service.]*

(B) If any community water system seeks to change its collection period for the next collection year, it shall submit an alternate fee-period schedule in writing to the department by January 1, identifying whether the fees will be collected monthly, quarterly, or annually. The system's new schedule shall be effective upon the department's approval.

(4) Remitting Fees to the State. A community water system shall be responsible for remitting to the department the **number of active connections and** amount collected from its customers no later than sixty (60) days following the end of the **annual** fee period **for systems on an annual collection schedule or within sixty (60) days following the end of each fee-period fiscal quarter if the system is on a monthly or quarterly collection schedule. Fee-period fiscal quarters end on November 30, February 28, May 31, and August 31.**

**AUTHORITY:** section 640.100, RSMo 2016. Emergency rule filed Dec. 14, 1992, effective Dec. 24, 1992, expired April 22, 1993. Original rule filed Dec. 14, 1992, effective Aug. 9, 1993. Amended: Filed April 13, 2018, effective Dec. 30, 2018. Amended: Filed July 10, 2020.

**PUBLIC COST:** This proposed amendment will cost state agencies or political subdivisions nine thousand six hundred sixty three dollars and thirty six cents (\$9,663.36) in the aggregate.

**PRIVATE COST:** This proposed amendment will cost private entities six million four hundred thirty two thousand, five hundred seventy nine dollars and seven cents (\$6,432,579.07) in the aggregate.

**NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS:** A public hearing on this proposed amendment will begin at 10:00 a.m., September 18, 2020. Due to recent concerns regarding the novel coronavirus, or COVID 19, the public hearing will be held with live video streaming available at <https://dnr.mo.gov/videos/live.htm> and by conference phone line at 877 749 7113, participant code 51724. Persons that wish to give testimony at the hearing and to be sworn in by the court reporter over the phone must register with [sheri.fry@dnr.mo.gov](mailto:sheri.fry@dnr.mo.gov) or by phone at 573 526 2957. Opportunity to be sworn in by the court reporter over the phone to give testimony at the hearing shall be afforded to any interested person. A recording of the public hearing will be available at <https://dnr.mo.gov/env/wpp/stakeholders/index.htm>. Interested persons may submit a statement in support of or in opposition to this proposed amendment until 5:00 p.m., September 25, 2020. Send online comments via the proposed rule web page at [https://apps5.mo.gov/proposed\\_rules/welcome.action#OPEN](https://apps5.mo.gov/proposed_rules/welcome.action#OPEN), email comments to [sheri.fry@dnr.mo.gov](mailto:sheri.fry@dnr.mo.gov), or written comments to Public Drinking Water Branch Rule Coordinator, Missouri Department of Natural Resources' Water Protection Program, PO Box 176, Jefferson City, MO 65102 0176.

**FISCAL NOTE  
PUBLIC COST****I. RULE NUMBER**

Rule Number and Name:	10 CSR 60-16.010 Levy and Collection of the Missouri Primacy Fee
Type of Rulemaking:	Proposed Amendment

**II. SUMMARY OF FISCAL IMPACT**

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Any agency or political subdivision connected to a public water system is impacted by this proposed amendment annually.	\$9,663.36

**III. WORKSHEET**

2017 US Census Bureau

Federal, state, and local government units in Missouri	3,769
Households	2,434,806
Businesses	160,912
Total	2,599,487
 % of government units	3,769/2,599,487 = .0015
% of households	2,434,806/2,599,487 = .9366
% of businesses	160,912/2,599,487 = .0619

The new primacy revenue based on our calculator on the web is \$6,442,242.44, taking these percentages and applying as a ratio:

Public entity amount \$6,442,242.44 x.0015 = \$9,663.36

**IV. ASSUMPTIONS**

1. The proposal developed by stakeholders and approved by the Safe Drinking Water Commission differs from numbers included in this document. The stakeholder proposal lists the annual fee collected and submitted to the Department by the water system; however, the water system retains 2% of the fees collected per Section 640.100.6, RSMo. Development of this fiscal note includes the actual fee charged to customers.
2. Annual calculations assume the number water systems and number of connections remains static.
3. Customers of the water system pay the annual Primacy Fee.
4. Calculations are based on FY19 data.
5. The Department does not track the type of customers of public water systems. Numbers used in this estimate are based on information from the United States Census Bureau found at the following website: <https://data.census.gov/cedsci/profile?g=0400000US29&q=Missouri>. In determining the cost to public entities, the Department assumed the same percentage of households, businesses, and public entities are on private water supplies, and that equal representation of these three types of customers fall in each of the different connection and meter size tiers of the Primacy Fee.
6. The Department anticipates that the increased costs will recur over the life of the rule.

**FISCAL NOTE  
PRIVATE COST**

**I. RULE NUMBER**

Rule Number and Name	10 CSR 60-16.010-Levy and Collection of the Missouri Primacy Fee
Type of Rulemaking	Proposed Amendment

**II. SUMMARY OF FISCAL IMPACT**

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule action:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the proposed rule action by the affected entities:
<b>139</b> – Total number of customer connections to water systems that serve 10 or fewer service connections.	Every business connected to a public water system is impacted annually by this proposed amendment.	\$1,399.64
<b>938,987</b> – Total number of customer connections to water systems that serve from 11 – 10,000 service connections.		\$2,199,288.48
<b>331,740</b> – Total number of customer connections to water systems that serve from 10,001 – 50,000 service connections.		\$958,179.60
<b>224,147</b> – Total number of customer connections to water systems that serve from 50,001 – 100,000 service connections.		\$645,543.36
<b>531,289</b> – Total number of customer connections to water systems that serve greater than 100,000 service connections.		\$1,275,093.60
<b>49,717</b> – Total number of customer connections with a water meter greater than 1" but less than 2".		\$674,162.52
<b>6,518</b> – Total number of customer connections with a water meter greater than 2" but less than 4".		\$396,555.12
<b>2,527</b> – Total number of customer connections with a water meter greater than 4".		\$292,020.12
See below for calculations		Private entity amount \$6,442,242.44 x (.9366 + .0619) = <b>\$6,432,579.07</b>

**III. Worksheet**

37 water systems with 10 or fewer connections	37
New fee per system - \$50.00	<u>x \$50.00</u>
	<u>\$1,850.00</u>

Previous fee of \$3.24 per connection with 139 connections	139
	<u>x 3.24</u>
	<u>\$450.36</u>

<b>Total annual increase for systems with ten or fewer connections</b>	<b>\$1,399.64</b>
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**Total increases for each section are annual fees.**

Number of public water system customer connections from 11 – 10,000: 938,987

<u>Previous fee</u>	<u>Number of Connections</u>	<u>Amount Generated</u>	<u>New Fee</u>	<u>Amount Generated</u>	<u>Increase</u>
\$3.24	239,011	\$774,395.64	\$5.28	\$1,261,978.08	\$487,582.44
\$3.00	388,395	\$1,165,185.00	\$5.28	\$2,050,725.60	\$885,540.60
\$2.76	197,744	\$545,773.44	\$5.28	\$1,044,088.32	\$498,314.88
\$2.40	113,837	\$273,208.80	\$5.28	\$601,059.36	<u>\$327,850.56</u>

**Total increase for customers of public water systems with 11 - 10,000 connections: \$2,199,288.48**

Number of public water system customer connections from 10,001 – 50,000: 331,740

<u>Previous fee</u>	<u>Number of Connections</u>	<u>Amount Generated</u>	<u>New Fee</u>	<u>Amount Generated</u>	<u>Increase</u>
\$2.16	117,882	\$254,625.12	\$4.80	\$565,833.60	\$311,208.48
\$1.92	127,580	\$244,953.60	\$4.80	\$612,384.00	\$367,430.40
\$1.56	86,278	\$134,593.68	\$4.80	\$414,134.40	<u>\$279,540.72</u>

**Total increase for customers of public water systems with 10,001 – 50,000 connections: \$958,179.60**

Number of public water system customer connections from 50,001 – 100,000: 224,147

<u>Previous fee</u>	<u>Number of Connections</u>	<u>Amount Generated</u>	<u>New Fee</u>	<u>Amount Generated</u>	<u>Increase</u>
\$1.32	224,147	\$295,874.04	\$4.20	\$941,417.40	\$645,543.36

**Total increase for customers of public water systems with 50,001 – 100,000 connections: \$645,543.36**

Number of public water system customer connections from 50,001 – 100,000: 531,289

<u>Previous fee</u>	<u>Number of Connections</u>	<u>Amount Generated</u>	<u>New Fee</u>	<u>Amount Generated</u>	<u>Increase</u>
\$1.08	531,289	\$573,792.12	\$3.48	\$1,848,885.72	\$1,275,093.60

**Total increase for customers of public water systems with > than 100,000 connections: \$1,275,093.60**

Number of public water system customer connections with meters >1" but <2": 49,717

<u>Previous fee</u>	<u>Number of Connections</u>	<u>Amount Generated</u>	<u>New Fee</u>	<u>Amount Generated</u>	<u>Increase</u>
\$7.44	49,717	\$369,894.48	\$21.00	\$1,044,057.00	\$674,162.52

**Total increase for customers of public water systems with meters >1" but <2": \$674,162.52**

Number of public water system customer connections with meters >2" but <4": 6,518

<u>Previous fee</u>	<u>Number of Connections</u>	<u>Amount Generated</u>	<u>New Fee</u>	<u>Amount Generated</u>	<u>Increase</u>

\$41.16	6,518	\$268,280.88	\$102.00	\$664,836.00	\$396,555.12
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**Total increase for customers of public water systems with meters >2" but <4": \$396,555.12**

Number of public water system customer connections with meters >4": 2,527

<u>Previous fee</u>	<u>Number of Connections</u>	<u>Amount Generated</u>	<u>New Fee</u>	<u>Amount Generated</u>	<u>Increase</u>
\$82.44	2,527	\$208,325.88	\$198.00	\$500,346.00	\$292,020.12

**Total increase for customers of public water systems with meters >4": \$292,020.12**

**Total increase for public and private entities: \$6,442,242.48**

2017 US Census Bureau

Federal, state, and local government units in Missouri	3,769
Households	2,434,806
Businesses	160,912
Total	2,599,487

% of government units	3,769/2,599,487 = .0015
% of households	2,434,806/2,599,487 = .9366
% of businesses	160,912/2,599,487 = .0619

The new primacy revenue based on the calculator on the Department's webpage is \$6,442,242.44, taking these percentages and applying as a ratio:

Private entity amount (\$6,442,242.44 x (.9366 + .0619)) = **\$6,432,579.07**

#### **IV. ASSUMPTIONS**

1. The proposal developed by stakeholders and approved by the Safe Drinking Water Commission differs from numbers included in this document. The stakeholder proposal lists the annual fee collected and submitted to the Department by the water system; however, the water system retains 2% of the fees collected per Section 640.100.6, RSMo. Development of this fiscal note includes the actual fee charged to customers.
2. Calculations are based on FY19 data.
3. Annual calculations assume the number of water systems and number of connections remains static.
4. Customers of the water system pay the annual Primacy Fee.
5. The Department does not track the type of customers of public water systems. Numbers used in this estimate are based on information from the United States Census Bureau found at the following website: <https://data.census.gov/cedsci/profile?g=0400000US29&q=Missouri>. In determining the cost to private entities, the Department assumed the same percentage of households, businesses, and public entities are on private water supplies, and that equal representation of these three types of customers fall in each of the different connection and meter size tiers of the Primacy Fee.
6. The Department anticipates that the increased costs will recur over the life of the rule.

**Title 10—DEPARTMENT OF NATURAL RESOURCES**  
**Division 60—Safe Drinking Water Commission**  
**Chapter 16—Drinking Water Fees**

**PROPOSED AMENDMENT**

**10 CSR 60-16.020 Laboratory Certification Fee.** The department is amending the purpose statement and section (1) and adding section (2).

**PURPOSE:** *This amendment revises the fees for certification of laboratories that conduct chemical and bacteriological testing of public drinking water. The proposed amendment was developed by a drinking water stakeholder group.*

**PURPOSE:** *This rule establishes fees for certification of laboratories [to] that conduct chemical and bacteriological testing of drinking water.*

**(1) [The following laboratory] Laboratories seeking certification [fees shall be paid before a certification will be issued] for chemical testing of drinking water [under 10 CSR 60-5.020. Fees are listed below.] shall pay the following fees as applicable:**

<b>In-state Laboratory Audit Fee</b>	\$2,500
	once every three- (3-) year certification cycle
<b>Three (3) year Certification Fee</b>	
Organic Chemicals	\$2,700
Inorganic Chemicals	\$1,500

**(2) Laboratories, except those owned by a political subdivision as defined by section 70.210, RSMo, seeking certification for bacteriological testing of drinking water shall pay the following fees as applicable beginning January 1, 2022:**

<b>In-state Laboratory Audit Fee</b>	\$500
	once every three- (3-) year certification cycle
<b>Three- (3-) year Certification Fee</b>	\$500

**AUTHORITY:** section 640.100, RSMo 2016. Original rule filed Dec. 14, 1992, effective Aug. 9, 1993. Amended: Filed April 13, 2018, effective Dec. 30, 2018. Amended: Filed July 10, 2020.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will cost private entities ten thousand one hundred sixty six dollars and sixty seven cents (\$10,166.67) in the aggregate.

**NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS:** A public hearing on this proposed amendment will begin at 10:00 a.m., September 18, 2020. Due to recent concerns regarding the novel coronavirus, or COVID 19, the public hearing will be held with live video streaming available at <https://dnr.mo.gov/videos/live.htm> and by conference phone line at 877 749 7113, participant code 51724. Persons that wish to give testimony at the hearing and to be sworn in by the court reporter over the phone must register with [sheri.fry@dnr.mo.gov](mailto:sheri.fry@dnr.mo.gov) or by phone at 573 526 2957. Opportunity to be sworn in by the court reporter over the phone to give testimony at the hearing shall be afforded to any interested person. A recording of the public hearing will be available at <https://dnr.mo.gov/env/wpp/stakeholders/index.htm>. Interested persons may submit a statement in support of or in opposition to this proposed amendment until 5:00 p.m., September 25, 2020. Send

online comments via the proposed rule web page at <https://apps5.mo.gov/proposed rules/welcome.action#OPEN>, email comments to [sheri.fry@dnr.mo.gov](mailto:sheri.fry@dnr.mo.gov), or written comments to Public Drinking Water Branch Rule Coordinator, Missouri Department of Natural Resources' Water Protection Program, PO Box 176, Jefferson City, MO 65102 0176.

**FISCAL NOTE  
PRIVATE COST**

**I. RULE NUMBER**

Rule Number and Name	10 CSR 60-16.020 – Laboratory Certification Fee
Type of Rulemaking	Proposed Amendment

**II. SUMMARY OF FISCAL IMPACT**

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule action:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the proposed rule action by the affected entities:
28 in-state, privately owned bacteriological laboratories currently certified in Missouri	NAICS – 541380, laboratory testing SIC – 8734, laboratory testing	Audit - \$4,666.67 annually
33 private bacteriological laboratories currently certified in Missouri	NAICS – 541380, laboratory testing SIC – 8734, laboratory testing	Certification - \$5,500 annually

**III. Worksheet**

Current fee for bacteriological laboratory audits is zero (-0-)	
Proposed fee per 3-year period	\$500
Number of in-state, privately owned bacteriological laboratories certified in Missouri	x 28
	\$14,000/3
<b>Annual proposed fee:</b>	<b>4,666.67</b>
Current fee for bacteriological laboratory certification is zero (-0-)	
Proposed fee per 3-year certification	\$500
Number of bacteriological laboratories certified in Missouri	x 33
	\$16,500/3
<b>Annual proposed fee:</b>	<b>\$5.500</b>

**IV. Assumptions**

1. Annual calculations assume the number of bacteriological laboratories remains static.
2. Numbers are based on FY19 data.
3. Out of state laboratories are exempt from the laboratory audit fee in this proposed amendment. There are currently five out of state, private laboratories certified in Missouri.
4. The Department anticipates that the increased costs will recur over the life of the rule.

**Title 10—DEPARTMENT OF NATURAL RESOURCES**  
**Division 60—Safe Drinking Water Commission**  
**Chapter 16—Drinking Water Fees**

**PROPOSED AMENDMENT**

**10 CSR 60-16.030 Laboratory Services and Program Administration Fees.** The department is amending the purpose statement and sections (1) and (2), removing section (3), and assigning and amending those subsections to section (2).

*PURPOSE: This amendment revises the fee structure for laboratory services and program administration fees for public water systems in Missouri and clearly states those systems that are exempt from the rule. Section 640.100, RSMo, gives the Missouri Department of Natural Resources the authority to conduct a comprehensive review of this fee and to develop a proposed fee structure based on stakeholder involvement. The proposed amendment was developed by a drinking water stakeholder group.*

*PURPOSE: This rule levies and sets the amount of the annual laboratory services and program administration fees and describes the method of remitting the fee to the department. The fees established in section 640.100.3, RSMo, are effective through December 31, 2021. The fee structure in this rule becomes effective on January 1, 2022.*

(1) This rule applies to all public water systems **except those owned by a political subdivision as defined by section 70.210, RSMo.**

(2) This rule establishes the laboratory services and program administration fees authorized by section 640.100.3, RSMo. *The fees cover the reasonable costs of laboratory services, both within the Department of Natural Resources and the Department of Health and Senior Services, and program administration, not to exceed the statutory limits of two hundred dollars (\$200) for a supplier servicing less than four thousand one hundred (4100) service connections, three hundred dollars (\$300) for a supplier serving less than seven thousand six hundred (7600) service connections, five hundred dollars (\$500) for a supplier serving seven thousand six hundred (7600) or more service connections, and five hundred dollars (\$500) for a supplier that uses surface water.], at the following amounts:*

*((3) The laboratory services and program administration fees are established at the following amounts. The fees are based on the estimated annual costs for laboratory services and program administration incurred by the state per public water system not to exceed the statutory limits shown in section (2) of this rule.)*

(A) **The [A]annual fee[s] for a transient noncommunity water system[—] is one hundred fifty dollars (\$150).**

<i>Number of Service Connections</i>	<i>Laboratory Services and Program Administration Fees</i>
<i>(any)</i>	<i>\$100]</i>

(B) Annual fees for all secondary public water systems and for public water systems, except transient noncommunity water systems, that use groundwater, including groundwater under the direct influence of surface water

<b>Number of Service Connections</b>	<b>Laboratory Services and Program Administration Fees</b>
<i>/less than 4100</i>	<i>\$200</i>
<i>4100 to 7599</i>	<i>\$300/</i>
<i>Less than 7,600</i>	<i>\$300</i>
<i>7,600 or more</i>	<i>\$500</i>

(C) **The [A]annual fee[s] for public water systems, except transient noncommunity water systems, that use surface water, including systems using both surface water and groundwater[—], is seven hundred fifty dollars (\$750).**

<i>Number of Service Connections</i>	<i>Laboratory Services and Program Administration Fees</i>
<i>(any)</i>	<i>\$500]</i>

*AUTHORITY: section 640.100, RSMo 2016. Original rule filed April 14, 1994, effective Nov. 30, 1994. Amended: Filed April 13, 2018, effective Dec. 30, 2018. Amended: Filed July 10, 2020.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will cost private entities one hundred thirty thousand four hundred dollars (\$130,400) in the aggregate.*

**NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS:** A public hearing on this proposed amendment will begin at 10:00 a.m., September 18, 2020. Due to recent concerns regarding the novel coronavirus, or COVID 19, the public hearing will be held with live video streaming available at <https://dnr.mo.gov/videos/live.htm> and by conference phone line at 877 749 7113, participant code 51724. Persons that wish to give testimony at the hearing and to be sworn in by the court reporter over the phone must register with [sheri.fry@dnr.mo.gov](mailto:sheri.fry@dnr.mo.gov) or by phone at 573 526 2957. Opportunity to be sworn in by the court reporter over the phone to give testimony at the hearing shall be afforded to any interested person. A recording of the public hearing will be available at <https://dnr.mo.gov/env/wpp/stakeholders/index.htm>. Interested persons may submit a statement in support of or in opposition to this proposed amendment until 5:00 p.m., September 25, 2020. Send online comments via the proposed rule web page at <https://apps5.mo.gov/proposed.rules/welcome.action#OPEN>, email comments to [sheri.fry@dnr.mo.gov](mailto:sheri.fry@dnr.mo.gov), or written comments to Public Drinking Water Branch Rule Coordinator, Missouri Department of Natural Resources' Water Protection Program, PO Box 176, Jefferson City, MO 65102 0176.



**Title 10—DEPARTMENT OF NATURAL RESOURCES  
Division 60—Safe Drinking Water Commission  
Chapter 16—Drinking Water Fees****PROPOSED RULE****10 CSR 60-16.040 Operator Certification Fees**

*PURPOSE: This rule sets forth the drinking water operator certification fee structure for activities under 10 CSR 60. The proposed rule was developed by a drinking water stakeholder group.*

(1) All applications for drinking water operator certification must meet the requirements of 10 CSR 60 14.020. The following fees shall be assessed for drinking water operator certification beginning January 1, 2022:

- (A) The application fee for the certification examination is fifty dollars (\$50). Each retake of the exam is fifty dollars (\$50);
- (B) The application fee for certification by reciprocity is seventy five dollars (\$75);
- (C) The fee to renew each certificate is sixty dollars (\$60). Certificates must be renewed every three (3) years; and
- (D) A late fee of thirty seven dollars and fifty cents (\$37.50) per month, up to a total of seventy five dollars (\$75), is assessed for any certificate renewed after the expiration date.

(2) All certification and examination fees submitted are nonrefundable and nontransferable.

*AUTHORITY: section 640.100, RSMo 2016. Original rule filed: July 10, 2020. Effective: Jan. 1, 2022.*

*PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed rule will cost private entities forty two thousand seventy five dollars (\$42,075) in the aggregate.*

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing on this proposed amendment will begin at 10:00 a.m., September 18, 2020. Due to recent concerns regarding the novel coronavirus, or COVID 19, the public hearing will be held with live video streaming available at <https://dnr.mo.gov/videos/live.htm> and by conference phone line at 877 749 7113, participant code 51724. Persons that wish to give testimony at the hearing and to be sworn in by the court reporter over the phone must register with [sheri.fry@dnr.mo.gov](mailto:sheri.fry@dnr.mo.gov) or by phone at 573 526 2957. Opportunity to be sworn in by the court reporter over the phone to give testimony at the hearing shall be afforded to any interested person. A recording of the public hearing will be available at <https://dnr.mo.gov/env/wpp/stakeholders/index.htm>. Interested persons may submit a statement in support of or in opposition to this proposed amendment until 5:00 p.m., September 25, 2020. Send online comments via the proposed rule web page at <https://apps5.mo.gov/proposed.rules/welcome.action#OPEN>, email comments to [sheri.fry@dnr.mo.gov](mailto:sheri.fry@dnr.mo.gov), or written comments to Public Drinking Water Branch Rule Coordinator, Missouri Department of Natural Resources' Water Protection Program, PO Box 176, Jefferson City, MO 65102 0176.*

**FISCAL NOTE  
PRIVATE COST**

**I. RULE NUMBER**

Rule Number and Name	10 CSR 60-16.040 – Operator Certification Fees
Type of Rulemaking	Proposed Rule

**II. SUMMARY OF FISCAL IMPACT**

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule action:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the proposed rule action by the affected entities:
<b>5721</b> – Number of drinking water operator certificates renewed every 3-years.	NAICS-221310, water system operators, SIC – 4941, water system operators	\$28,605 annually
<b>678</b> – Number of exams given annually to drinking water operators for certification.		\$3,390 annually
<b>281</b> – Number of exam retakes given annually to drinking water operators for certification.		\$8,430 annually
<b>28</b> – Number of operators paying late fees for late renewal of operator certificate.		\$1,540 annually
<b>11</b> – Number of drinking water operators seeking certification through reciprocity.		\$110 annually

**III. WORKSHEET**

Drinking water operator certificates renewed every 3 years

<u>Previous fee</u>	<u>Number of Certificates</u>	<u>Amount Generated</u>	<u>New Fee</u>	<u>Amount Generated</u>	<u>Increase</u>
\$45 <sup>1</sup>	5721	\$85,815 <sup>1</sup>	\$60	\$114,420 <sup>1</sup>	\$28,605 <sup>1</sup>

Drinking water operator certification exams

<u>Previous fee</u>	<u>Number of Exams</u>	<u>Amount Generated</u>	<u>New Fee</u>	<u>Amount Generated</u>	<u>Increase</u>
\$45	678	\$30,510	\$50	\$33,900	\$3,390

Drinking water operator certification exam retakes

<u>Previous fee</u>	<u>Number of Retakes</u>	<u>Amount Generated</u>	<u>New Fee</u>	<u>Amount Generated</u>	<u>Increase</u>
\$20	281	\$5,620	\$50	\$14,050	\$8,430

Drinking water operator certification late fees

<u>Previous fee</u>	<u>Number of Late Fees</u>	<u>Amount Generated</u>	<u>New Fee</u>	<u>Amount Generated</u>	<u>Increase</u>
\$20	28	\$560	\$75	\$2,100	\$1,540

Drinking water operator certification reciprocity applications

<u>Previous fee</u>	<u>Number of Applications</u>	<u>Amount Generated</u>	<u>New Fee</u>	<u>Amount Generated</u>	<u>Increase</u>
\$65	11	\$715	\$75	\$825	\$110

**IV. ASSUMPTIONS**

1. The certification fee is a 3-year certificate. Calculations are annual costs.
2. The basis for the calculation of costs is on proposed increases to current fees in 10 CSR 60-14.020. The department is proposing an amendment to 10 CSR 60-14.020 to move the fees to Chapter 16 for consistency.
3. Annual calculations assume the number of drinking water operators remains static.
4. Numbers are based on FY19 data.
5. These fees are the sole responsibility of the drinking water operator per 10 CSR 60-14.020.
6. The department anticipates that the increased costs will recur over the life of the rule.

**Title 13—DEPARTMENT OF SOCIAL SERVICES  
Division 70—MO HealthNet Division  
Chapter 3—Conditions of Provider Participation,  
Reimbursement, and Procedure of General Applicability**

**PROPOSED RULE**

**13 CSR 70-3.320 Electronic Visit Verification (EVV)**

**PURPOSE:** This rule sets forth requirements for use of electronic verification of services that the MO HealthNet Division may identify and provide to a MO HealthNet participant with a prior authorization or an approved care plan. This rule also defines terms used by MO HealthNet in establishing procedures for the Electronic Visit Verification (EVV) requirements for Medicaid funded in home services. These definitions apply solely to the information in this chapter. This rule further establishes the minimum necessary criteria required of Medicaid funded Home and Community Based Services provider agencies in relation to implementation of an EVV system. This rule establishes the minimum necessary criteria of the EVV system required to document delivery of Medicaid funded Home and Community Based Services provided in the home of the MO HealthNet participant. Failure to comply with requirements in this section may result in claim denial or termination of contract to deliver services through the MO HealthNet program.

**(1) Definitions.**

(A) "Agency Model Services" shall mean a service delivery option in which a contracted agency directs service delivery.

(B) "Aggregator Solution" shall mean the electronic system that supports the collection of electronic visit verification vendor data and stores the data for purposes of analysis and monitoring.

(C) "Direct Care Worker" shall mean the individual providing the Medicaid funded services to the MO HealthNet participant, either through an agency based or self directed model.

(D) "Electronic Visit Verification (EVV)" shall mean electronic technology used for the purpose of recording the date, location, begin time, end time, type of service, and any related tasks. EVV also verifies the identity of the MO HealthNet participant and direct care worker in relation to Medicaid funded services authorized by the Department of Health and Senior Services (DHSS) or the Department of Mental Health (DMH).

(E) "Exception" shall mean any manual adjustment or update to an EVV record, identified by the EVV system and the aggregator solution.

(F) "MO HealthNet Participant" shall mean an individual who the Family Support Division has determined eligible for MO HealthNet benefits who is receiving Medicaid funded services authorized by the Department of Health and Senior Services or the Department of Mental Health.

(G) "Fiscal Agent" shall mean a Person or Entity that provides financial management services to a self directed employer.

(H) "Manual Visit Entry" shall mean the entry of a paper record, used in exigent circumstances for a provider visit to a participant, into the EVV solution. The paper record shall be maintained by the provider agency and made available upon request from state agency.

(I) "Provider Agency" shall mean an agency authorized to deliver Medicaid funded services or other Medicaid funded services as defined in this rule, or a fiscal agent, as authorized by the Department of Health and Senior Services or the Department of Mental Health.

(J) "Reason Codes" shall mean codes established by electronic visit verification vendors and utilized by personal care service providers to explain a manual visit entry/edit or an acknowledgement of exception; passed along to aggregator solution.

(K) "Self Directed Services" shall mean a service delivery option in which a MO HealthNet participant employs a direct care worker and directs delivery of service themselves.

(L) "Services" shall mean all Medicaid funded services or other service required by the state to use EVV including:

1. Advanced Personal Care;
2. Chore Services;
3. Consumer Directed/Self Directed Personal Care;
4. Homemaker Services;
5. In Home Respite authorized by the Department of Health and Senior Services;
6. Personal Care;
7. Any of the above services reimbursed by a managed care organization; and
8. Any services where federal or state statute or rule requires EVV, but not specifically listed above.

(M) "Task" shall mean, as applicable, description of a service or services including, but not limited to, tasks authorized on the care plan.

**(2) Provider Agency Responsibilities regarding Electronic Visit Verification.**

(A) Provider agencies must communicate with MO HealthNet Participants regarding the requirement to utilize EVV to document receipt of services as a condition of participation in services. Provider agencies delivering services shall contract with an EVV vendor who meets all criteria established in this rule.

(B) Provider agencies and self directed fiscal agents who deliver or administer services through Medicaid funding shall utilize EVV for all visits. EVV requirements are applicable to services authorized through the Department of Health and Senior Services and the Department of Mental Health.

(C) EVV requirements do not apply to the following services:

1. Authorized Nurse Visits;
2. Private Duty Nursing;
3. Provider Reassessments;
4. Assisting individuals with their necessary daily needs during delivery of other DMH Home and Community Based Services (HCBS) waiver services; or

5. Services provided in a residential/group setting.

(D) Except as provided in subsection (2)(C) of this rule, all MO HealthNet Participants who receive services must utilize EVV. MO HealthNet participants who refuse to utilize an electronic system shall no longer be eligible to receive Medicaid funded services as defined in this rule.

(E) Provider agencies must work with MO HealthNet participants to identify the provider's chosen EVV solution that best accommodates the participant's individual needs. Documentation of any concern or barrier regarding a specific form of EVV shall be reported to DHSS and/or DMH as the authorizing agency.

(F) Manual visit entry shall be utilized only when the EVV system is unavailable or when exigent circumstances, documented by the provider agency, make usage of the system impossible or impractical. The provider agency shall enter justification documentation into the EVV system. Information shall include the date and time of the manual entry, the reason for the entry, and the identification of the person making the entry. The provider agency must pass a manual entry indicator and reason for manual entry to the aggregator solution within documentation timeframes established by the MO Medicaid Audit and Compliance Unit.

(G) Any adjustment or exception requires the provider agency to enter justification documentation into the EVV system within documentation timeframe requirements established by 13 CSR 70 3.030(3)(A)38. Information must include the date and time of the entry and/or update, the reason for the entry and/or update, and the identification of the person making the entry and/or update.

(H) Provider agencies shall report any suspected falsification of EVV data to the Missouri Medicaid Audit and Compliance Unit via the standard reporting process as defined by the Missouri Medicaid Audit and Compliance Unit within two (2) business days of discovery.

(I) All provider agencies must interface EVV data with an aggregator solution designated by the Department of Social Services (DSS) in a format and at a frequency specified by DSS.

(3) Electronic Visit Verification Vendor Responsibilities.

(A) Pursuant to this rule, the DSS or its designee must approve the EVV system utilized by a provider agency. In order to be approved, the EVV system must have a primary, secure method for collecting visit data through use of one (1) or more of the following:

1. Location technologies, including but not limited to Global Positioning System (GPS);

2. Telephony (if utilized, the telephone number from which the call is placed is used in lieu of GPS coordinates and must be a telephone number from an established landline in the participant's place of residence);

3. Fixed devices placed in the home of the MO HealthNet participant which generate a one (1) time password or code;

4. Biometric recognition; or

5. Alternative technology that meets the requirements of this rule.

(B) The EVV vendor must register with the Missouri Medicaid Audit and Compliance unit and be approved by the Department of Social Services or its designee pursuant to this rule.

(C) The aggregator solution vendor must certify the EVV vendor has successfully interfaced and has the ability to securely exchange required data with the aggregator solution before DSS can grant approval for registration.

(D) Any cost related to development, modification, or testing of EVV systems shall be the responsibility of the EVV vendor.

(E) In the event of modifications of the state's requirements or policies affecting the electronic collection of visit data, EVV vendors must update systems as necessary and, in a timeframe determined by the state.

(F) The DSS may require re approval of any qualifying EVV system in circumstances including, but not limited to, a change in data requirements that must be transmitted to the aggregator component or failure to maintain compliance with the department's requirements. Any cost related to re testing or re approval shall be the responsibility of the EVV vendor.

(G) EVV vendors must provide the training necessary for provider agency staff to fully utilize the capabilities of the EVV system. Additionally, the EVV vendor must provide support for the system during standard business hours (8:00 am to 5:00 pm Central Time Zone) at a minimum.

(H) EVV vendors shall successfully complete all training required by the aggregator system before being registered as a qualifying EVV vendor.

(I) EVV systems shall have a minimum of two (2) alternative forms of recording visit data, one (1) of which must be manual visit entry. In the event of system failure or natural disaster, manual visit entry may be used for recording visit data if electronic entry is impossible or impractical.

(J) When employing any form of EVV aside from the use of a designated landline telephone, the EVV system must use location technologies to record the location of the direct care worker at the start and stop of service delivery.

(K) For situations in which the provider agency's EVV system does not provide adequate network capacity, the EVV system shall have the ability to enter visit information in an offline mode and upload upon accessing network connectivity.

(L) At a minimum, the EVV system shall meet the following requirements:

1. Record the type of service performed, including individual tasks as authorized or progress notes dependent on requirements of the authorizing program;

2. Document and verify the MO HealthNet participant's identity, either by a unique number assigned to the MO HealthNet participant, biometric recognition, or through alternative technology;

3. Document and verify the direct care worker by the assignment of a personal identification number unique to the direct care worker or through alternative technology;

4. Document the date of services delivered;

5. Document the time services begin to the minute;

6. Document the time services end to the minute; and

7. Document the location in which the services began and ended.

(M) In addition, the EVV system must demonstrate the following requirements are met:

1. Accept and update the plan of care as entered or modified by DHSS or DMH;

2. Allow for an unlimited number of service codes and tasks to be available for selection as approved by DHSS or DMH;

3. Allow for direct care workers to access the same MO HealthNet participant record for verification of service delivery more than once in a twenty four (24) hour period;

4. Allow for multiple service delivery locations for each MO HealthNet participant, including multiple locations in a single visit;

5. Accommodate more than one (1) MO HealthNet participant and/or direct care worker in the same home or at the same phone number;

6. Document the delivery of multiple types of services during a single visit;

7. Maintain a reliable backup and recovery process to ensure that the EVV system preserves all data in the event of a system malfunction or disaster;

8. Be capable of retrieving current and archived data to produce reports of services and tasks delivered, MO HealthNet participant identity, Direct Care Worker identity, begin and end time of services, begin and end location of service delivery, and dates of service in summary fashion that constitutes adequate documentation of services delivered;

9. Allow for manual entry with required justification including a reason for the manual entry with the reason code and manual entry indicator passed to the aggregator solution;

10. Be capable of creating an exception when the direct care worker accesses the system from a location other than the authorized service location; and

11. Retain all data regarding the delivery of services as required by law, but at a minimum of six (6) years from the date of service. Fiscal and medical records shall coincide with and fully document services billed to the MO HealthNet agency. Providers must furnish or make the records available for inspection or audit by the Department of Social Services or its representative upon request. Failure to furnish, reveal, or retain adequate documentation for services billed to the MO HealthNet program, as specified above, is a violation of this regulation.

(N) Nothing in this rule shall limit the provider agency's ability to accrue partial units pursuant to 13 CSR 70 91.010.

(O) EVV systems shall be capable of producing reimbursement requests for participant approval that ensure accuracy and compliance with program expectations of both the participant and the provider agency.

(P) Reports from the EVV system are subject to review and audit by the Departments of Social Services, Health and Senior Services, Mental Health, or any federal agency, or their designee.

*AUTHORITY: sections 208.201 and 660.017, RSMo 2016. Original rule filed July 9, 2020.*

*PUBLIC COST: This proposed rule will cost state agencies or political subdivisions two million dollars (\$2,000,000) in the aggregate.*

*PRIVATE COST: This proposed rule will cost private entities nineteen million, two hundred thousand dollars (\$19,200,000) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Social Services, Legal Services Division Rulemaking, PO Box 1527, Jefferson City, MO 65102 1527, or by email to Rules.Comment@dss.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**FISCAL NOTE  
PUBLIC COST**

**I. Department Title:** Title 13 – Social Services  
**Division Title:** Division 70 – MO HealthNet Division  
**Chapter Title:** Chapter 3 – Conditions of Provider Participation, Reimbursement and Procedure of General Applicability

<b>Rule Number and Name:</b>	13 CSR 70-3.320 Electronic Visit Verification
<b>Type of Rulemaking:</b>	Proposed Rule

**II. SUMMARY OF FISCAL IMPACT**

<b>Affected Agency or Political Subdivision</b>	<b>Estimated Cost of Compliance in the Aggregate</b>
<b>Department of Social Services</b>	<b>\$2,000,000 (\$200,000 GR/\$1,800,000 Fed)</b>
<b>Department of Health and Senior Services</b>	<b>\$0</b>
<b>Department of Mental Health</b>	<b>\$0</b>

**III. WORKSHEET**

Based on information provided by multiple aggregator solution vendors, the cost of development and implementation of an aggregator solution ranges from \$1,000,000 to \$3,000,000, dependent upon the requirements and expectations of the State. Due to the significant difference in estimates, the State anticipates a number in the mid-range. MHD will be requesting an enhanced match rate of 90% federal funding for implementation of the system.

**IV. ASSUMPTIONS**

This rule is a result of a federal mandate to implement Electronic Visit Verification (EVV) for all personal care services statewide. The aggregator solution is required in order to monitor EVV utilization as well as to identify trends and concerns. If not implemented, the State will lose federal match on all personal care services delivered through the Medicaid program.

**FISCAL NOTE  
PRIVATE COST**

**Department Title:** Title 13 – Social Services  
**Division Title:** Division 70 – MO HealthNet Division  
**Chapter Title:** Chapter 3 – Conditions of Provider Participation, Reimbursement and Procedure of General Applicability

<b>Rule Number and Title:</b>	13 CSR 70-3.320
<b>Type of Rulemaking:</b>	Proposed Rule

**II. SUMMARY OF FISCAL IMPACT**

<b>Estimate of the number of entities by class which would likely be affected by the adoption of the rule:</b>	<b>Classification by types of the business entities which would likely be affected:</b>	<b>Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:</b>
1,500	Personal Care Service Providers	\$19,200,000

**III. WORKSHEET**

The majority of personal care service providers in Missouri are already in compliance with Electronic Visit Verification (EVV) due to existing state regulation. MO HealthNet expects the fiscal impact to this population to be limited as they may need to make modifications but should not have to acquire a new system.

A smaller population of providers (approximately 400) will be required to identify and contract with an EVV vendor, as they currently have nothing in place. The cost of EVV systems varies greatly and is dependent on a number of factors, including the complexity of functionality and the number of participant/agency users. Based on estimates from a variety of EVV vendors, the average cost of EVV is approximately \$20 per month per participant. The monthly cost for personal service providers can vary greatly as there are agencies with a very small number of participants and those with over 1,000.

**IV. ASSUMPTIONS**

The cost of compliance is challenging to determine as it varies greatly based upon the complexity of the system, the size of the provider agency, and other factors. Using information gathered from multiple EVV vendors, the cost may vary from \$10 - \$30 monthly dependent upon the system. Assuming both high and low end options, MO HealthNet estimates that the average price per participant is \$20 monthly or \$240 annually.

This rule is a result of a federal mandate to implement Electronic Visit Verification (EVV) for all personal care services statewide. The aggregator solution is required in order to monitor EVV utilization as well as to identify trends and concerns. If not implemented, the State will lose federal match on all personal care services delivered through the Medicaid program.

**Title 16—RETIREMENT SYSTEMS**  
**Division 50—The County Employees' Retirement Fund**  
**Chapter 20—County Employees' Deferred Compensation Plan**

**PROPOSED AMENDMENT**

**16 CSR 50-20.070 Distribution of Accounts.** The board of directors of the County Employees' Retirement Fund is deleting sections (1) through (9) and renumbering the remaining section.

**PURPOSE:** This amendment removes provisions which are duplicated in 16 CSR 50 20.120(4) or superseded by 16 CSR 50 20.120(7).

**(1) Eligibility for Payment. Distribution to a Participant of his or her Account shall be made no earlier than—**

- (A) Separation from Service;
- (B) The calendar year in which the Participant attains age seventy and one-half (70 1/2);
- (C) The date the Board approves a distribution to the Participant on account of an Unforeseeable Emergency; or
- (D) The date the Participant requests a voluntary in-service de minimis distribution from the Plan.

**(2) Distribution Due to Unforeseeable Emergency.** A Participant may request a distribution due to Unforeseeable Emergency by submitting a request to the Board (or its designee). The Board (or its designee) shall have the authority to require such evidence as it deems necessary to determine whether a distribution is warranted. If an application for a hardship distribution due to an Unforeseeable Emergency is approved, the distribution is limited to an amount sufficient to meet the Unforeseeable Emergency. The allowed distribution shall be paid in a single sum to the Participant as soon as possible after approval of such distribution.

**(3) Voluntary In-Service De Minimis Distribution.** A Participant who is an active Employee shall receive a distribution of his or her Account if the following requirements are met:

- (A) The Participant's Account balance does not exceed five thousand dollars (\$5,000) (or the dollar limit under section 411(a)(11) of the Code, if greater);
- (B) The Participant has not previously received an in-service distribution of his or her Account balance;
- (C) The Participant has not made Deferrals during the two (2)-year period ending on the date of the in-service distribution; and
- (D) The Participant elects to receive the distribution.

**(4) Commencement of Distributions.**

**(A) General Rule.** Distribution of a Participant's Account under the Plan shall be made in the form elected by the Participant, commencing as soon as administratively feasible after the calendar year quarter in which the Participant's Separation from Service occurs, unless the Participant elects to defer this payment. A Participant may elect that the distribution of benefits be made at any time following his or her Separation from Service as long as distributions commence no later than sixty (60) days following the close of the calendar year in which the Participant attains age seventy and one-half (70 1/2), or retires, if later.

**(B) Notwithstanding subsection (4)(A), if the value of a Participant's Account is one thousand dollars (\$1,000) or less, then his or her benefit under the Plan shall be distributed to him or her in a single sum as soon as administratively feasible following his or her Separation from Service.**

**(C) Employees who terminate employment and then resume employment with an Employer within thirty (30) days will not forfeit their prior service and will not be required to receive a refund of their payroll contributions.**

**(5) Payment Options.** A Participant's or Beneficiary's election of a payment option must be made at least thirty (30) days prior to the date that the payment of benefits is to commence. If a timely election of a payment option is not made, benefits shall be paid in a single lump sum. Once payments have commenced, the form of payment option may not be changed.

**(6) Subject to applicable law and the other provisions of this Plan, distributions may be made in accordance with one (1) of the following payment options:**

- (A) A single lump-sum payment;
- (B) Installment payments for a period of years (payable on a monthly, quarterly, semiannual, or annual basis) which extends no longer than the life expectancy of the Participant;

(C) Partial lump-sum payment of a designated amount, with the balance payable in installment payments for a period of years, as described in subsection (6)(B), as long as such installment payments begin prior to the end of the calendar year following the year the partial lump-sum payment was made; and

(D) Annuity payments (payable on a monthly, quarterly, or annual basis) for the lifetime of the Participant or for the lifetimes of the Participant and Beneficiary if permitted under sections 401(a)(9) or 457(d) of the Code. If the Participant fails to make a timely election of one (1) of the payment options described above, payment shall be made in a single sum.

**(7) Direct Rollover Option.**

(A) After December 31, 2001, a distributee may elect to have an eligible rollover distribution paid directly to a single eligible retirement plan specified by the distributee. However, this election may not be made if the total eligible rollover distributions paid to the distributee from the Plan will be less than two hundred dollars (\$200).

(B) A distributee may elect to divide an eligible rollover distribution so that part is paid directly to an eligible retirement plan and part is paid to the distributee. However, the part paid directly to the eligible retirement plan must total at least five hundred dollars (\$500).

(C) A distributee may elect a direct rollover after having received a written notice which complies with the rules of Code section 402(f). In general, payment to a distributee shall not begin until thirty (30) days after the section 402(f) notice is given. However, payment may be made sooner if the notice clearly informs the distributee of the right to a period of at least thirty (30) days to consider the decision of whether or not to make a direct rollover, and the distributee, after receiving the notice, makes an affirmative election to receive an immediate distribution. A distributee who fails to make an election in the thirty (30)-day period shall receive the eligible rollover distribution immediately after the thirty (30)-day period expires.

(D) For purposes of this section (7), the following terms have the meanings set forth below:

1. An "eligible rollover distribution" is any distribution or withdrawal payable under the terms of this Plan to a Participant or a Participant's Beneficiary, which is described in Code section 402(c)(4). In general, this term includes any single-sum distribution, and any distribution which is one (1) in a series of substantially equal periodic payments made

over a period of less than ten (10) years, and is less than the distributee's life expectancy. However, an eligible rollover distribution does not include the portion of any distribution which constitutes a minimum required distribution under Code section 401(a)(9) or any distribution due to unforeseeable emergency;

2. "Eligible retirement plan" means—

- A. An individual retirement account described in Code section 408(a);
- B. An individual retirement annuity described in Code section 408(b);
- C. An annuity plan described in Code section 403(a);
- D. A retirement plan qualified under Code section 401(a), but only if the terms of the plan permit the acceptance of rollover distributions;
- E. An annuity contract described in Code section 403(b);
- F. An eligible deferred compensation plan under Code section 457(b) which is maintained by a state, a political subdivision of a state, or any agency or instrumentality of a state or political subdivision of a state; and
- G. Effective January 1, 2008, a Roth IRA described under Code section 408A to the extent permitted by applicable law; and

3. "Distributee" means a Participant or the spouse of a deceased Participant. Effective January 1, 2007, a Participant's designated non-spouse Beneficiary may be a distributee but only with respect to an eligible retirement plan described in subparagraphs (7)(D)2.A. and B. above.

(8) This Plan also shall accept the transfer of amounts previously deferred by a Participant under another eligible deferred compensation plan described in section 457 of the Code or, effective January 1, 2002, an eligible rollover distribution described in section 457(e)(16) of the Code.

(9) All distributions under this rule 16 CSR 50-20.070 shall be made in accordance with a reasonable and good faith interpretation of the requirements of Code sections 457(d)(2) and 401(a)(9).

(10)(1) Lost Participants. Notwithstanding any other provision of the Plan, if it is not possible to make payment because the Board can not locate the Participant after making reasonable efforts to do so, a retroactive payment may be made as soon as administratively feasible after the date on which the Participant is located.

(A) If the Board is unable to locate any person entitled to receive distribution from an Account hereunder, such Account shall be forfeited and used to reduce Plan expenses on the date two (2) years after the date the Board sends, by certified mail, a notice concerning the benefits to such person at his or her last known address (or determines that there is no last known address).

(B) If an Account is forfeited under this Section and a person otherwise entitled to the Account subsequently files a claim with the Board during any Plan Year, before any allocations for such Plan Year are made, the Account will be restored to the amount which was forfeited without regard to any earnings or losses that would have been allocated. Such restoration shall first be taken out of forfeitures which have not been allocated and if such forfeitures are insufficient to restore such person's account balance, restoration shall be made by an Employer contribution to the Plan.

**AUTHORITY:** section 50.1300, RSMo [2000] 2016. Original rule filed May 9, 2000, effective Jan. 30, 2001. Amended: Filed April 25, 2002, effective Nov. 30, 2002. Amended: Filed June 7, 2006, effective Jan. 30, 2007. Amended: Filed Jan. 25, 2010, effective July 30, 2010. Amended: Filed July 2, 2020.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with the County Employees' Retirement Fund, 2121 Schotthill Woods Drive, Jefferson City, MO 65101. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

## Title 16—RETIREMENT SYSTEMS

### Division 50—The County Employees' Retirement Fund Chapter 20—County Employees' Deferred Compensation Plan

#### PROPOSED AMENDMENT

**16 CSR 50-20.120 Additional Provisions.** The board of directors of the County Employees' Retirement Fund is amending subsections (4)(A), (B), (C), and (K).

**PURPOSE:** This amendment lowers the age at which participants may elect to receive a distribution to age 59 1/2 pursuant to the provisions of the Bipartisan American Miners Act of 2019 and adds provisions to consolidate the provisions of 16 CSR 50 20.070 with the rule.

(4) Benefit distributions shall be in accordance with the following:

(A) Benefit Distributions at Age *[seventy and one-half (70 1/2)] fifty-nine and one-half (59 1/2)*, Retirement or Other Severance from Employment. Upon attainment of age *[seventy and one-half (70 1/2)] fifty-nine and one-half (59 1/2)*, retirement, or other Severance from Employment (other than due to death), a Participant is entitled to receive a distribution of his or her Account Balance under any form of distribution permitted under subsection (4)(C) commencing at the date elected under subsection (4)(B). If a Participant does not elect otherwise, the distribution shall be paid as soon as practicable following Normal Retirement Age or, if later, following retirement or other Severance from Employment and payment shall be made in a lump sum;

(B) Election of Benefit Commencement Date. A Participant may elect to commence distribution of benefits at any time after attainment of age *[seventy and one-half (70 1/2)] fifty-nine and one-half (59 1/2)*, retirement, or other Severance from Employment by a notice filed at least **thirty** (30) days before the date on which benefits are to commence. However, in no event may distribution of benefits commence later than the date described in subsection (4)(H);

(C) Forms of Distribution. In an election to commence benefits under subsection (4)(B), a Participant *[entitled to a distribution of benefits under this section (4)]* may, subject to applicable law and the other provisions of the plan, elect to receive payment in *[such forms of distribution described in the Plan]* accordance with one (1) of the following payment options, to the extent *[the material terms and conditions for those forms are set forth in the Plan and the additional forms of payment satisfy]* consistent with a reasonable and good faith interpretation of the requirements of section 401(a)(9) of the Code *[and]*, subsection (4)(H) below, and *[are]* not inconsistent with this section (4)*[/;]*:

1. A single lump-sum payment;
2. Installment payments for a period of years (payable on a monthly, quarterly, semi-annual, or annual basis) which extends no longer than the life expectancy of the Participant;
3. Partial lump-sum payment of a designated amount, with

the balance payable in installment payments for a period of years, as described in paragraph (4)(C)2., as long as such installment payments begin prior to the end of the calendar year following the year the partial lump-sum payment was made; and

4. Annuity payments (payable on a monthly, quarterly, or annual basis) for the lifetime of the Participant or for the lifetimes of the Participant and Beneficiary if permitted under sections 401(a)(9) or 457(d) of the Code.

If the Participant fails to make a timely election of one (1) of the payment options described above, payment shall be made in a single sum.

(K) Rollover Distributions.

1. A distributee who is entitled to an eligible rollover distribution may elect, at the time and in the manner prescribed by the Administrator, to have all or any portion of the distribution paid directly to an eligible retirement plan specified by the distributee in a direct rollover.

2. For purposes of this subsection (4)(K), an eligible rollover distribution means any distribution of all or any portion of a Participant's Account Balance, determined in accordance with applicable law and the terms of the Plan, except that an eligible rollover distribution does not include

A. Any installment payment under subsection (4)(C) for a period of ten (10) years or more;

B. Any distribution made under subsection (4)(I) as a result of an unforeseeable emergency; or

C. For any other distribution, the portion, if any, of the distribution under section 401(a)(9). In addition, an eligible retirement plan means an individual retirement account described in section 408(a) of the Code, an individual retirement annuity described in section 408(b) of the Code, a qualified trust described in section 401(a) of the Code, an annuity plan described in section 403(a) or 403(b) of the Code, an eligible government plan described in section 457(b) of the Code, that accepts the eligible rollover distribution, or, effective January 1, 2008, a Roth IRA described under section 408A of the Code, to the extent permitted by applicable law.

3. A "distributee" means a Participant or the spouse of a deceased Participant. Effective January 1, 2007, a Participant's designated non spouse Beneficiary may be a distributee but only with respect to an eligible retirement plan [*described in subparagraphs 16 CSR 50-20.070(7)(D)2.A. and B.*] that is an individual retirement account described in Code section 408(a) or an individual retirement annuity described in Code section 408(b).

**AUTHORITY:** section 50.1300, RSMo 2016. Original rule filed Nov. 10, 2005, effective May 30, 2006. For intervening history, please consult the **Code of State Regulations**. Amended: Filed July 2, 2020.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with the County Employees' Retirement Fund, 2121 Schotthill Woods Drive, Jefferson City, MO 65101. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES**

**Division 30—Division of Regulation and Licensure**  
**Chapter 35—Hospices**

**PROPOSED AMENDMENT**

**19 CSR 30-35.010 Hospice Program Operations.** The department is amending section (1).

**PURPOSE:** This amendment adds advanced practice registered nurses and physician assistants as people who will qualify as an attending physician to hospice patients in that these individuals will have the most significant role in the determination and delivery of the hospice patient's medical care. This amendment is made in accordance with a change to the federal law. This amendment also extends the amount of time hospice providers can conduct emergent visits from one (1) hour to ninety (90) minutes from when the need is identified.

(1) General Provisions.

(A) Definitions Relating to Hospice Care Agencies.

1. Attending physician a person who

A. Is licensed as a doctor of medicine or osteopathy in this state or a bordering state; *[and]* or

B. Is recognized by Missouri as a nurse practitioner and who complies with the requirements of Chapter 335, RSMo, 20 CSR 2200-4.200 and 42 CFR 410.75; or

C. Is licensed as a physician assistant (PA) in Missouri and who complies with the requirements in Chapter 334, RSMo, 20 CSR 2150-7.135 and 42 CFR 410.74(c); and

*/B./D.* Is identified by the patient, at the time s/he elects to receive hospice care, as having the most significant role in the determination and delivery of the patient's medical care.

2. Automated dispensing system a mechanical system that performs functions that may include, but are not limited to, storing, packaging or dispensing medications, and that collects, controls, and maintains all transaction information.

3. Certified medication technician a person who has completed the certified medication technician training program approved by the Department of Health and Senior Services.

4. Certified pharmacy technician a person who is credentialed by a nationally recognized pharmacy technician credentialing authority.

5. Contracted provider individuals or entities who furnish services to hospice patients under contractual arrangements between the hospice and the contracted provider.

6. Coordinating provider any individual or agency which independently provides services to the patient in their place of residence.

7. Dietary counselor an individual that is currently eligible to be licensed as a dietitian in Missouri or recognized as a nutritionist.

8. Direct employee an individual paid directly by the hospice.

9. Emergency medication supply a limited number of prescription medications approved by the medical director and the pharmacist that may be administered to a patient in an emergency situation or for initial doses of a necessary medication when a pharmacist cannot provide medication services for a patient within a reasonable time based on the patient's clinical needs at the time.

10. Employee an employee of the hospice or an individual under contract who is appropriately trained and assigned to the hospice program. Employee also refers to a person volunteering for the hospice program.

11. Family broadly defined to include not only persons bound by biology or legalities but also those who function for the patient in a familial way.

12. Homemaker a home health aide, volunteer, or other individual who assists the patient/family with light housekeeping chores.

13. Home health aide a person who meets the training, attitude, and skill requirements specified in the Medicare home health program (42 CFR 484.36).

14. Hospice a public agency or private organization or subdivision of either that*/*

A. Is primarily engaged in providing care to dying persons and their families; and

B. Meets the standards specified in 19 CSR 30 35.010 and in 19 CSR 30 35.030. If it is a hospice that provides inpatient care

directly in a hospice facility, it must also meet the standards of 19 CSR 30 35.020.

15. Hospice administrator the employee designated by the governing body as responsible for the overall functioning of the hospice.

16. Hospice patient a person with a terminal illness or condition for whom the focus of care is on comfort and palliation rather than cure.

17. Legal representative a person who because of the patient's mental or physical incapacity is legally authorized in accordance with state law to make health care decisions on behalf of the dying person.

18. Licensed practical nurse a person licensed under Chapter 335, RSMo to engage in the practice of practical nursing.

19. Meal preparation meals planned, offered, or served to all patients from prepared menus.

20. Medical director a person licensed in this state or a bordering state as a doctor of medicine or osteopathy who assumes overall responsibility for the medical component of the hospice's patient care program.

21. Nutritionist a person who has graduated from an accredited four- (4)-/1 year college with a bachelor's degree including or supplemented by at least fifteen (15) semester hours in food and nutrition including at least one (1) course in diet therapy.

22. Occupational therapist a person who is registered under Chapter 334, RSMo as an occupational therapist and licensed to practice in Missouri.

23. Occupational therapy assistant a person who has graduated from an occupational therapy assistant program accredited by the Accreditation Council for Occupational Therapy Education and licensed to practice in Missouri.

24. Pharmacist a person licensed as a pharmacist under Chapter 338, RSMo.

25. Pharmacy technician a person who is registered as a pharmacy technician under Chapter 338, RSMo.

26. Physical therapist a person who is licensed as a physical therapist under Chapter 334, RSMo.

27. Physical therapy assistant a person who has graduated from at least a two- (2)-/1 year college level program accredited by the American Physical Therapy Association and licensed to practice in Missouri.

28. Physician a physician as defined in subparagraph (1)(A)1.A. of this rule.

29. Registered nurse a person licensed under Chapter 335, RSMo to engage in the practice of professional nursing.

30. Registered nurse coordinator a registered nurse, who is a direct employee, designated by the hospice to direct the overall provisions of clinical services.

31. Satellite/branch office a location or site from which a hospice provides services within a portion of the total geographic area served by the parent hospice and the area served by the satellite/branch office is contiguous to or part of the area served by the parent hospice.

32. Skilled nursing those services which are required by law to be provided by a registered nurse or a licensed practical nurse.

33. Snack a single meal or item prepared on demand which does not include food items that produce grease laden vapors.

34. Social worker a person who has at least a bachelor's degree in social work from a school of social work accredited by the Council on Social Work Education.

35. Speech language pathologist a person who is licensed under Chapter 345, RSMo as a speech therapist.

36. Spiritual counselor a person who is ordained, commissioned, or credentialed according to the practices of an organized religious group and has completed, or will complete by August 1, 2003, one (1) unit of Clinical Pastoral Education (CPE); or has a minimum of a bachelor's degree with emphasis in counseling or related subjects and has, within ninety (90) days of hire, completed specific training to include: common spiritual issues in death and

dying; belief systems of comparative religions related to death and dying; spiritual assessment skills; individualizing care to patient beliefs; and varied spiritual practices/rituals.

37. Standing order An order by an authorized prescriber that can be implemented by other health care professionals when predetermined criteria are met as per 19 CSR 30 35.010(2)(E)3. (2)(E)4.A., B. and C.

(C) Consent for Hospice Care.

1. A patient who wishes to receive hospice care, shall sign a consent form for hospice services.

2. The consent form shall include the following:

A. Identification of the particular hospice that will provide care to the patient;

B. The patient's or representative's acknowledgment that s/he has been advised and has an understanding of the palliative nature of hospice care as it relates to the patient's terminal illness;

C. The specific type of care and services that may be provided as hospice care during the course of the illness.

(E) General Provisions.

1. A hospice shall maintain compliance with the standards in 19 CSR 30 35.010 and in 19 CSR 30 35.030. A hospice that operates a facility for hospice care shall also maintain compliance with 19 CSR 30 35.020.

2. A hospice shall be primarily engaged in providing the care and services described in 19 CSR 30 35.010 and in 19 CSR 30 35.020 of this rule, and shall:/:

A. Provide **twenty-four-** (24 ) hour nursing coverage for telephone consultation and visits as needed;

B. Assure all other services that are reasonable and necessary for the palliation and management of terminal illness and related conditions are available on a **twenty-four-** (24 ) hour basis;

C. Provide bereavement counseling; and

D. Assure services are provided in a manner consistent with accepted standards of practice in accordance with local, state, and federal law.

3. The hospice shall conduct criminal background checks in accordance with state law.

4. The hospice shall adhere to state and federal law relating to advance directives.

(F) Patient Rights. The hospice shall have a written statement of patient rights which shall include, but need not be limited to, those specified herein/./:

1. Each patient of a hospice program shall be informed in writing of his/her rights as recipients of hospice services/./;

2. The hospice shall document that it has informed patients of their rights in writing and shall protect and promote the exercise of these rights/./; and

3. The patient's family, representative, or guardian may exercise the patient's rights when all reasonable efforts to communicate with the patient have failed. These rights shall include:

A. The patient and family's right for respect of property and person;

B. The right to voice grievances regarding treatment or care that is, or fails to be, furnished or regarding lack of respect of property by anyone who is furnishing services on behalf of the hospice and the patient/family shall not be subjected to discrimination or reprisal for doing so;

C. The right to be informed about his/her care alternatives available from the hospice and payment resources;

D. The right to participate in the development of the plan of care and planning changes in the care;

E. The right to be informed in advance about the care to be furnished;

F. The right to be informed in advance of the disciplines that will furnish care and the frequency of visits proposed to be furnished;

G. The right to be informed in advance of any change in the plan of care before the change is made;

H. The right to confidentiality of the clinical records maintained by the hospice and to be informed of the hospice's policy for disclosure of clinical records;

I. The right to be informed in writing of the extent to which payment may be required from the patient and any changes in liability within **thirty** (30) days of the hospice becoming aware of the new amount of the liability; and

J. The right to access the Missouri home health and hospice toll free hotline and to be informed of its telephone number, the hours of operations and its purpose for the receipt of complaints and questions regarding hospice services.

**(H) Twenty-four- (24 ) Hour Response.**

1. The hospice shall have written policies and procedures defining access to all services, medications, equipment, and supplies during regular business hours, after hours and in emergency situations including a plan for prompt telephone response.

2. Unscheduled non emergent nursing visits when indicated should normally occur within three (3) hours from the time the need is identified or as agreed upon by the hospice and patient.

3. When clinically indicated, emergent visits shall be made within *one hour* ninety (90) minutes from the time the need is identified.

**(J) Safety and Emergency Preparedness.**

1. The hospice shall have safety and emergency preparedness plans that conform with federal, state, and local requirements. Such plans shall include:

A. A plan for reporting, monitoring and following up on all accidents, injuries and safety hazards;

B. Documentation of monitoring activity and follow up actions; and

C. A safe and sanitary system for identifying, handling and disposing of hazardous wastes.

*(D)2.* The emergency preparedness plan shall be rehearsed at least annually.

**(K) Satellite/Branch Offices.**

1. If the hospice represents to the public that they have a satellite/branch office, there shall be:

A. A designated interdisciplinary group with documented group meetings;

B. On site maintenance of current active patient records; and

C. Telephone reception during normal business hours.

2. The satellite office must be located within **one hundred** (100) miles of the parent office.

3. The standard of care and clinical services shall be the same out of the satellite/branch office as the parent office.

**AUTHORITY:** section 197.270, RSMo [2000] 2016 [and section 660.050, RSMo Supp. 2007]. Original rule filed March 8, 1996, effective Oct. 30, 1996. Rescinded and readopted: Filed Jan. 3, 2001, effective Aug. 30, 2001. Amended: Filed Sept. 11, 2007, effective March 30, 2008. Amended: Filed July 9, 2020.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with Lisa Coots, Administrator, Bureau of Home Care and Rehabilitative Standards, Department of Health and Senior Services, Division of Regulation and Licensure, PO Box 570, Jefferson City, MO 65102 or at [Lisa.Coots@health.mo.gov](mailto:Lisa.Coots@health.mo.gov). To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF COMMERCE AND**

**INSURANCE**

**Division 2120—State Board of Embalmers and Funeral Directors**

**Chapter 2—General Rules**

**PROPOSED AMENDMENT**

**20 CSR 2120-2.020 Biennial License Renewal.** The board is deleting sections (1), (2), (5), and (6), adding new section (1), renumbering as necessary, and amending the purpose and new section (2).

**PURPOSE:** *This amendment is to provide updated information relating to renewal deadlines and include license professions not previously referenced.*

**PURPOSE:** *This rule outlines the requirements and procedures for the renewal of embalmer['s], funeral director['s], funeral directors limited, and funeral establishment['s] [licenses].*

*(1) Each Missouri licensed embalmer or Missouri licensed funeral director shall notify the board within thirty (30) days of each address change of the Missouri licensed funeral establishment at which s/he is practicing and shall notify the board within thirty (30) days of any termination or creation of an employment relationship with a Missouri licensed funeral establishment. Each holder of a Missouri funeral establishment license shall notify the board at least sixty (60) days prior to any change of address of the Missouri licensed funeral establishment, sale of the Missouri licensed funeral establishment or termination of business of the Missouri licensed funeral establishment.*

*(2) A nonrenewable license, not valid for active practice in Missouri, will be issued at no charge to a currently licensed embalmer, funeral director, or both, upon presentation of a signed notarized statement from the licensee attesting to the fact that the licensee is disabled and is no longer active in the practice of embalming, funeral directing, or both. If the licensee desires at some future date to return to active practice in Missouri, the board shall issue a valid renewal license upon payment of the current renewal fee and completion of the applicable renewal application form.]*

**(1)** The biennial license renewal date for licensed embalmers, licensed funeral directors, and licensed funeral director limited is June 1. The biennial license renewal date for licensed funeral establishments is January 1.

*(3)(2) [The holders of expired Missouri embalmer's and funeral director's licenses] Embalmers, funeral directors, funeral director limited, and funeral establishment licenses which are not renewed will be notified that their licenses have expired. The holder of an expired license [shall be issued a new license by the board] may reinstate the license within two (2) years of the renewal date after the proper [reactivation] forms have been completed and applicable fees have been paid. Any [Missouri] embalmer/s, license and Missouri] funeral director/s], and funeral establishment license not renewed within two (2) years shall be void.*

*(4)(3) The licensee's failure to receive the renewal notice shall not relieve the licensee of the duty to pay the renewal fee and renew his/her license.*

*(5) The biennial license renewal date for Missouri licensed embalmers and Missouri licensed funeral directors shall be designated as June 1. The biennial license renewal date for*

Missouri licensed funeral establishments shall be designated as January 1.

(6) The rules in this division are declared severable. If any rule, or section of a rule, is held invalid by a court of competent jurisdiction or by the Administrative Hearing Commission, the remaining provisions shall remain in full force and effect unless otherwise determined by a court of competent jurisdiction or by the Administrative Hearing Commission.]

**AUTHORITY:** sections 333.081I, RSMo Supp. 2003] and 333.III.1, RSMo [2000] 2016. This rule originally filed as 4 CSR 120 2.020. Original rule filed Oct. 17, 1975, effective Oct. 28, 1975. For intervening history, please consult the **Code of State Regulations**. Amended: Filed July 6, 2020.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Embalmers and Funeral Directors, Lori Hayes, Executive Director, 3605 Missouri Boulevard, PO Box 423, Jefferson City, MO 65102 0423, by facsimile at (573) 751 1155, or via email to [embalm@pr.mo.gov](mailto:embalm@pr.mo.gov). To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**Title 20—DEPARTMENT OF COMMERCE AND INSURANCE**  
**Division 2120—State Board of Embalmers and Funeral Directors**  
**Chapter 2—General Rules**

**PROPOSED RULE**

**20 CSR 2120-2.021 Inactive License**

**PURPOSE:** This rule outlines the process of requesting inactive status to maintain a license for an embalmer, funeral director, funeral director limited, and preneed agent.

(1) Any embalmer, funeral director, funeral director limited, or preneed agent that holds a current unexpired license/registration may place that license/registration on inactive status by filing a written and signed request for inactive status with the board. This request may be accomplished by signing the request for inactive status which appears on the application for renewal and returning that application to the board prior to the date the license expires.

(2) The licensee/registrant shall not practice in the state of Missouri while the license is inactive.

(3) Each inactive licensee/registrant shall provide the board, at the time of application for renewal, a completed renewal form issued by the board that shall contain updated information since the preceding application/renewal period and the applicable fee. Failure to receive renewal notice shall not relieve the licensee/registrant of the obligation to renew and pay the inactive renewal fee prior to the expiration date.

(4) If an inactive licensee/registrant wishes to return a license/regis

tration to active status the licensee/registrant shall complete the renewal form and pay the renewal fee as stated in the rules promulgated by the board.

**AUTHORITY:** sections 324.039 and 333.III, RSMo 2016. Original rule filed July 6, 2020.

**PUBLIC COST:** This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed rule with the State Board of Embalmers and Funeral Directors, Lori Hayes, Executive Director, 3605 Missouri Boulevard, PO Box 423, Jefferson City, MO 65102 0423, by facsimile at (573) 751 1155, or via email to [embalm@pr.mo.gov](mailto:embalm@pr.mo.gov). To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**Title 20—DEPARTMENT OF COMMERCE AND INSURANCE**  
**Division 2120—State Board of Embalmers and Funeral Directors**  
**Chapter 2—General Rules**

**PROPOSED AMENDMENT**

**20 CSR 2120-2.100 Fees.** The board is amending section (1) and deleting section (3).

**PURPOSE:** This amendment clarifies the fees for each licensed profession and adds an inactive renewal fee.

(1) The following fees hereby are established by the State Board of Embalmers and Funeral Directors:

(C) Embalmer Biennial Renewal Fee	\$150
<i>[1. Effective March 1, 2018 through June 20, 2018]</i>	\$ 51
(D) Funeral Director Application Fee	\$150
Apprentice, Education, Reciprocity, Limited	
(E) Funeral Director and Funeral Director Limited Biennial Renewal Fee	\$150
<i>[1. Effective March 1, 2018 through June 20, 2018]</i>	\$ 51
(F) Reactivation Fee Funeral Director, Funeral Director Limited, Embalmer, Establishment	
<i>[Reactivation Fee]</i>	
(day 1 to day 365 after date license lapsed)	\$100
(G) Reactivation Fee Funeral Director, Funeral Director Limited, Embalmer, Establishment	
<i>[Reactivation Fee]</i>	
(day 366 to day 730 after date license lapsed)	\$200
(H) Inactive Renewal Fee Embalmer, Funeral Director, Funeral Director Limited, and Preneed Agent	\$ 25
<i>[I(H)](I) Establishment Application Fee</i>	\$250
<i>[I(I)](J) Amended Establishment Application Fee</i>	\$ 25
<i>[I(J)](K) Establishment Biennial Renewal Fee</i>	\$200
<i>[1. Effective October 1, 2017 through January 31, 2018]</i>	\$ 51
<i>[I(K)](L) Reciprocity Certification Fee</i>	\$ 10
<i>[I(L)](M) Duplicate Wallhanging Fee</i>	\$ 10
<i>[I(M)](N) Collection Fee for Bad Checks</i>	\$ 25
<i>[I(N)](O) Law Book Requests</i>	\$ 5

<i>/(O)/(P)</i> Background Check Fee (amount determined by the Missouri State Highway Patrol)	
<i>/(P)/(Q)</i> Provider License Application Fee (if no Funeral Establishment license)	\$200
<i>/(Q)/(R)</i> Provider License Application Fee (if also Funeral Establishment license)	\$100
<i>/(R)/(S)</i> Provider Annual Renewal Fee	\$ 0
<i>/(S)/(T)</i> Provider Delinquent Renewal Fee (day 1 to day 365 after date license lapsed)	\$100
<i>/(T)/(U)</i> Provider Delinquent Renewal Fee (day 366 to day 730 after date license lapsed)	\$200
<i>/(U)/(V)</i> Seller License Application Fee	\$200
<i>/(V)/(W)</i> Seller Annual Renewal Fee	\$150
<i>[1. Effective August 1, 2017 through November 30, 2017]</i>	\$ 5/
<i>/(W)/(X)</i> Seller Delinquent Renewal Fee (day 1 to day 365 after date license lapsed)	\$200
<i>/(X)/(Y)</i> Seller Delinquent Renewal Fee (day 366 to day 730 after date license lapsed)	\$400
<i>/(Y)/(Z)</i> Preneed Agent Registration Fee	\$ 40
<i>/(Z)/(AA)</i> Preneed Agent Annual Registration Renewal Fee	\$ 40
<i>[1. Effective September 1, 2017 through December 31, 2017]</i>	\$ 5/
<i>/(AA)/(BB)</i> Preneed Agent Delinquent Renewal Fee (day 1 to day 365 after date license lapsed)	\$ 50
<i>/(BB)/(CC)</i> Preneed Agent Delinquent Renewal Fee (day 366 to day 730 after date license lapsed)	\$100
<i>/(CC)/(DD)</i> Seller per Contract Annual Reporting Fee (for contracts executed on or after September 1, 2015)	\$ 25
<i>/(DD)/(EE)</i> Amended Provider Application Fee	\$ 25
<i>/(EE)/(FF)</i> Amended Seller Application Fee	\$ 25

*[(3) The provisions of this rule are severable. If any fee fixed by this rule is held invalid by a court of competent jurisdiction, the remaining provisions of this rule shall remain in full force, unless otherwise determined by a court of competent jurisdiction.]*

**AUTHORITY:** sections 333.311.1 and 333.340, RSMo 2016. This rule originally filed as 4 CSR 120 2.100. Emergency rule filed June 30, 1981, effective July 9, 1981, expired Nov. 11, 1981. Original rule filed June 30, 1981, effective Oct. 12, 1981. For intervening history, please consult the **Code of State Regulations**. Amended: Filed July 6, 2020.

**PUBLIC COST:** This proposed amendment will increase revenue for the State Board of Embalmers and Funeral Directors by three thousand eight hundred dollars (\$3,800) biennially for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

**PRIVATE COST:** This proposed amendment will cost private entities three thousand eight hundred dollars (\$3,800) biennially for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with the State

*Board of Embalmers and Funeral Directors, Lori Hayes, Executive Director, 3605 Missouri Boulevard, PO Box 423, Jefferson City, MO 65102 0423, by facsimile at (573) 751 1155, or via email to embalm@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**PUBLIC FISCAL NOTE****I. RULE NUMBER**

**Title 20 -Department of Commerce and Insurance**  
**Division 2120 - State Board of Embalmers and Funeral Directors**  
**Chapter 2 - General Rules**  
**Proposed Amendment to 20 CSR 2120-2.100 Fees**

**II. SUMMARY OF FISCAL IMPACT**

<b>Affected Agency or Political Subdivision</b>	<b>Estimated Revenue</b>
State Board of Embalmers and Funeral Directors	\$3,800
<b>Estimated Increased Revenue Beginning in FY20 and Continuing Biennially</b>	<b>\$3,800</b>

**III. WORKSHEET**

See Private Entity Fiscal Note

**IV. ASSUMPTION**

1. The estimated revenue is based on the costs reflected in the Private Entity Fiscal Note filed with this amendment.

**PRIVATE FISCAL NOTE**

**I. RULE NUMBER**

**Title 20 -Department of Commerce and Insurance  
Division 2120 - State Board of Embalmers and Funeral Directors  
Chapter 2 - General Rules  
Proposed Amendment to 20 CSR 2120-2.100 Fees**

**II. SUMMARY OF FISCAL IMPACT**

Estimate the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimated costs for the life of the rule by affected entities:
4	Application Fee - Reciprocity (Fee @ \$150)	\$600
50	Inactive Renewal Fee ( Fee @ \$25)	\$1,250
5	Biennial Renewal - Establishments (Renewal Fee @ \$200)	\$1,000
3	Biennial Renewal - Establishments (Late Renewal Fee First Year @ \$100)	\$300
2	Biennial Renewal - Establishments (Late Renewal Fee Second Year @ \$200)	\$400
2	Biennial Renewal - Funeral Directors Limited (Renewal Fee @ \$200)	\$400
1	Biennial Renewal - Funeral Directors Limited (Late Renewal Fee First Year @ \$100)	\$100
1	Biennial Renewal - Funeral Directors Limited (Late Renewal Fee Second Year @ \$200)	\$200
3	Biennial Renewal Fee (Military Fee Waiver @ \$150)	(\$450)
	<b>Estimated Cost of Compliance Beginning in FY21 and Continuing Biennially for the Life of the Rule</b>	<b>\$3,800</b>

**III. WORKSHEET**

See Table Above

**IV. ASSUMPTIONS**

1. The above figures are based on FY21 projections.
2. The board anticipates 4 reciprocity applicants will reapply after 2 years biennially under 20 CSR 2120-2.040.
3. Approximately 5 establishments and 2 funeral directors limited renew late every other year under 20 CSR 2120-2.020. In addition to the \$200 biennial renewal fee, establishments would pay \$100 during the first year or \$200 during the second year after their license has expired.
4. The board anticipates fifty licensees biennially will pay the inactive renewal fee under 20 CSR 2120-2.021.
5. Under 20 CSR 2120-2.220 the board anticipates that there will be very few active military will request to renew without payment while on active duty. It is estimated that the board will have approximately 3 applicants biennially.
6. It is anticipated that the total fiscal costs will occur beginning in FY21, may vary with inflation, and is expected to increase at the rate projected by the Legislative Oversight

Note: The committee is statutorily obligated to enforce and administer the provisions of sections 333.011 to 333.340, RSMo. Pursuant to section 333.111, RSMo, the committee shall by rule and regulation set the amount of fees authorized by sections 333.011 to 333.340, RSMo, so that the revenue produced is sufficient, but not excessive, to cover the cost and expense to the committee for administering the provisions of sections 333.011 to 333.340,

**Title 20—DEPARTMENT OF COMMERCE AND  
INSURANCE**  
**Division 2120—State Board of Embalmers and Funeral  
Directors**  
**Chapter 2—General Rules**

**PROPOSED RULE**

**20 CSR 2120-2.220 Renewal of Licenses for Military Members**

**PURPOSE:** *This rule sets forth the procedure for renewal of a license held by a licensee on active military duty and for discipline of a license held by a licensee on active military duty.*

(1) Any licensee who is a member of the United States Armed Forces or any military or militia of the state of Missouri, as defined in section 41.030, RSMo, shall be exempt from the requirement to renew his or her license if:

(A) The licensee is on active duty, meaning full time duty in the active military service of the United States as defined in Section 101(a)(5), Title 10 of the U.S. Code or of the active military forces of Missouri under section 41.030, RSMo;

(B) At the time of activation, the licensee held a current and active license with the board in Missouri and was licensed or certified to engage in his or her profession in this state; and

(C) The licensee complies with the provisions of this rule to notify the board of the active military duty.

(2) While a licensee meeting the requirements of this rule is on active duty, as set forth above, each license of the licensee will be renewed without payment of renewal fees or any other act required for renewal while the licensee is on active military duty and up to two (2) years from the date the licensee ceases active military duty, if the following criteria are met:

(A) The licensee notifies the board in writing on a form provided by the board or by other written communication accepted by the board as a Notice of Active Military Duty and requests license renewal;

(B) This written Notice of Active Military Duty shall be signed and dated by the licensee and contain the name, address, and license number of the licensee, the date of activation, and be accompanied by a copy of the licensee's active duty orders or other evidence sufficient for the board to determine the dates of active service by licensee;

(C) If the licensee requests waiver of any continuing education requirement, this request may be made at the time the Notice of Active Military Duty is filed. The Notice of Active Military Duty may be filed with the board at any time up to one hundred eighty (180) days from the date the licensee ceases active military duty;

(D) If any of licensee's licenses have lapsed for non renewal during this period before the Notice of Active Military Duty has been filed, all licenses will be reinstated upon the filing of the Notice of Active Military Duty with no additional requirements for reinstatement. All such reinstatements are retroactive to the last renewal date after the licensee went on active duty and the license is deemed as having been active from that date until the license is reinstated;

(E) If licensee files the Notice of Active Military Duty prior to a license renewal date, the board will renew all licenses, without any further requirement, until either the licensee notifies the board that active military duty has ceased or a license has not been renewed for a period of one hundred eighty (180) days from the date the active military duty ceased. The licensee shall have the duty to notify the board when his or her active military duty ceases within one hundred eighty (180) days from the date the active duty ceases. The board will deem licensee's license current and active until the end of the one hundred eighty (180) days and after that time, the licensee's license shall be due for renewal at the next license regular renewal date; and

(F) The licensee on active military duty shall not be required to

pay any license renewal fees during the period of active military duty and up to one hundred eighty (180) days after the end of the active military duty. If a license lapses at any time during active military duty, that license will be reinstated with no further requirements, other than the filing of the Notice of Active Military Service.

(3) If, at the time of activation, licensee's license was subject to discipline, the disciplinary period shall be stayed during the time of licensee's active duty military service and reinstated at the time the license is reinstated. However, if the conditions of the discipline require the licensee to take any action or meet any obligations, licensee shall have at least one hundred eighty (180) days after the end of active military duty to take those actions or fulfill those obligations.

(4) If during the time licensee is on active military duty, the board desires to pursue any disciplinary or administrative action against any license of the licensee, the board shall stay any such action until at least sixty (60) days after the end of the active military duty.

(5) Any licensee who holds a current license and is a member of any United States or state of Missouri military, including any reserve members and any member of the United States Public Health Service, who is engaged in the active duty in the military service of the United States or the state of Missouri and who is engaged in the performance of active duty in the military service of the United States in a military conflict in which reserve components have been called to active duty for any period of more than thirty (30) days and who have had any license lapse while performing this military service, may renew/reinstate such license, without penalty by

(A) Filing with the board a Notice of Active Military Duty on a form provided by the board or by written communication accepted by the board that is signed and dated by the licensee and contains the licensee's name, address, the type of license and license number of the licensee, the date of active duty activation, and is accompanied by a copy of the licensee's active duty orders or other evidence sufficient for the board to determine the dates of active military duty by licensee; and

(B) Such Notice of Active Military Duty shall be filed with the board along with the request for license reinstatement no later than sixty (60) days after the end of active military duty.

(6) Upon filing the Notice of Active Military Duty, the board will reinstate licensee's license with no further requirements, retroactive to the last renewal.

**AUTHORITY:** sections 41.950, 192.360, 333.081, 333.III, and 333.340, RSMo 2016. *Original rule filed July 6, 2020.*

**PUBLIC COST:** *This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

**PRIVATE COST:** *This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

**NOTICE TO SUBMIT COMMENTS:** *Anyone may file a statement in support of or in opposition to this proposed rule with the State Board of Embalmers and Funeral Directors, Lori Hayes, Executive Director, 3605 Missouri Boulevard, PO Box 423, Jefferson City, MO 65102 0423, by facsimile at (573) 751 1155, or via email to embalm@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 20—DEPARTMENT OF COMMERCE AND INSURANCE**  
**Division 2120—State Board of Embalmers and Funeral Directors**  
**Chapter 3—Preneed**

**PROPOSED RESCISSION**

**20 CSR 2120-3.105 Filing of Annual Reports.** This rule prescribed the board's process for the filing of annual reports under the revised sections of Chapters 333 and 436, RSMo.

**PURPOSE:** *The rule is being rescinded so that a readoption can be filed that provides updated terminology and processes consistent with statutory language.*

**AUTHORITY:** *sections 333.315, 333.320, 333.340, 436.460, and 436.520, RSMo Supp. 2009. Emergency rule filed Sept. 24, 2009, effective Oct. 4, 2009, expired April 1, 2010. Original rule filed Sept. 24, 2009, effective April 30, 2010. Rescinded: Filed July 6, 2020.*

**PUBLIC COST:** *This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

**PRIVATE COST:** *This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

**NOTICE TO SUBMIT COMMENTS:** *Anyone may file a statement in support of or in opposition to this proposed rescission with the State Board of Embalmers and Funeral Directors, 3605 Missouri Boulevard, PO Box 423, Jefferson City, MO 65102 0423, by facsimile at (573) 751 1155, or via email to [embalm@pr.mo.gov](mailto:embalm@pr.mo.gov). To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 20—DEPARTMENT OF COMMERCE AND INSURANCE**  
**Division 2120—State Board of Embalmers and Funeral Directors**  
**Chapter 3—Preneed**

**PROPOSED RULE**

**20 CSR 2120-3.105 Filing of Annual Reports and License Renewal**

**PURPOSE:** *This rule prescribes the board's process for the filing of annual reports and license renewal under Chapter 333 and sections 436.400 to 436.525, RSMo.*

(1) The annual renewal date for licensed preneed sellers and preneed providers is November 1. The annual renewal date for registered preneed agents is December 1.

(2) For sellers

(A) Each preneed seller shall file a completed renewal and all applicable fees on or before October 31 each year. If the license is not renewed by this date the license shall expire;

(B) Each preneed seller shall file a completed annual report before October 31 each year. If the report is not filed the license shall be automatically suspended until the time the completed annual report is filed and all applicable fees have been paid;

(C) The seller's report must contain the following, if applicable:

1. The number of preneed contracts sold in the reporting year (including those written that were cancelled, fulfilled, transferred, or serviced in the same reporting year);

2. If a consumer has more than one (1) preneed contract with different preneed sellers the contract should be identified on the annual report and the per contract fee is required for each preneed contract; and

3. If a consumer has one (1) preneed contract with multiple funding sources the contract should be identified on the annual report and one (1) per contract fee is to be submitted;

(D) For the seller annual report, if the seller is unable to validate the status and face value of the insurance policy and unable to obtain the certification from the insurance company, the following information will meet the requirements of section 436.460.4, RSMo, for the reporting requirements for insurance funded preneed contracts:

1. The name and address of the company issuing the policy or annuity funding the preneed;

2. The amount of the policy or balance on account at the time the preneed contract was sold; and

3. An attestation from the seller that since these accounts are funded by insurance, the seller has no ability to confirm the existence or amount of the policies or accounts;

(E) If the license is suspended the applicant must file the annual report and renewal and pay the delinquent fee established by the board before the license is issued; and

(F) If the license is not current the licensee shall not act as a preneed seller in any capacity, such as maintaining an active trust account or paying providers for fulfilled preneed contracts.

(3) For providers

(A) Each preneed provider shall file a completed annual report on or before October 31 each year. If the license is not renewed by this date the license shall expire;

(B) If the license is not current the licensee shall not act as a preneed provider in any capacity, such as servicing preneed contracts or being named as a provider on such.

(4) For agents

(A) Each preneed agent shall file a completed renewal and pay the applicable fees on or before November 30 each year. If the registration is not renewed by this date the license shall expire.

(5) The holders of expired Missouri licenses for preneed providers, preneed sellers, and registrations for agents which are not renewed will be notified that their licenses or registrations have expired. The holder of an expired license or registration may reinstate the license or registration within two (2) years of the renewal date after the proper forms have been completed and applicable fees have been paid. Any license or registration that has not been renewed within two (2) years shall be void.

**AUTHORITY:** *sections 333.315, 333.320, 333.325, 333.340, 436.460, and 436.520, RSMo 2016. Emergency rule filed Sept. 24, 2009, effective Oct. 4, 2009, expired April 1, 2010. Original rule filed Sept. 24, 2009, effective April 30, 2010. Rescinded and Readopted: Filed July 6, 2020.*

**PUBLIC COST:** *This proposed rule will increase revenue for the State Board of Embalmers and Funeral Directors by four hundred sixty two thousand eight hundred fifty dollars (\$462,850) annually for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.*

**PRIVATE COST:** *This proposed rule will cost private entities four hundred sixty two thousand eight hundred fifty dollars (\$462,850) annually for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the State Board of Embalmers and Funeral Directors, Lori Hayes, Executive Director, 3605 Missouri Boulevard, PO Box 423, Jefferson City, MO 65102 0423, by facsimile at (573) 751 1155, or via email to embalm@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**PUBLIC FISCAL NOTE****I. RULE NUMBER**

**Title 20 -Department of Commerce and Insurance**  
**Division 2120 - State Board of Embalmers and Funeral Directors**  
**Chapter 3 - Preneed**  
**Proposed Rule 20 CSR 2120-3.105 Filing of Annual Reports**

**II. SUMMARY OF FISCAL IMPACT**

Affected Agency or Political Subdivision	Estimated Revenue
State Board of Embalmers and Funeral Directors	\$462,850
	<b>Estimated Increased Revenue Annually for the Life of the Rule</b>

**III. WORKSHEET**

See Private Entity Fiscal Note

**IV. ASSUMPTION**

1. The estimated revenue is based on the costs reflected in the Private Entity Fiscal Note filed with this amendment.

**PRIVATE FISCAL NOTE**

**I. RULE NUMBER**

**Title 20 -Department of Commerce and Insurance**  
**Division 2120 - State Board of Embalmers and Funeral Directors**  
**Chapter 3 - Preneed**  
**Proposed Rule 20 CSR 2120-3.105 Filing of Annual Reports**

**II. SUMMARY OF FISCAL IMPACT**

<b>Estimate the number of entities by class which would likely be affected by the adoption of the proposed rule:</b>	<b>Classification by type of the business entities which would likely be affected:</b>	<b>Estimated costs for the life of the rule by affected entities:</b>
325	Seller Annual Renewal Fee (Fee @ \$150)	\$48,750
325	Seller Annual Report Per Contract Fee (Fee @ \$25) Estimated 15,900 contracts	\$397,500
10	Seller Delinquent Annual Renewal Fee Day 1 to Day 365 (Fee @ \$200)	\$2,000
2	Seller Delinquent Annual Renewal Fee Day 366 to Day 730 (Fee @ \$400)	\$800
10	Provider Delinquent Renewal Fee Day 1 to Day 365 (Fee @ \$100)	\$1,000
3	Provider Delinquent Renewal Fee Day 366 to Day 730 (Fee @ \$200)	\$300
275	Agent Renewal Fee (Fee @ \$40)	\$11,000
10	Agent Delinquent Renewal Fee Day 1 to Day 365 (Fee @ \$50)	\$500
10	Agent Delinquent Renewal Fee Day 366 to Day 730 (Fee @ \$100)	\$1,000
<b>Estimated Cost of Compliance Annually for the Life of the Rule</b>		<b>\$462,850</b>

**III. WORKSHEET**

See Table Above

**IV. ASSUMPTION**

1. The above figures are based on staff estimates.
2. Sellers are also required to pay a per contract fee (currently \$25) for each preneed contract sold during the reporting period; however that is a cost that can be assessed to the consumer by the seller. The number of estimated contracts sold in the state of Missouri is based on the actual number of contracts sold.

**Title 20—DEPARTMENT OF COMMERCE AND  
INSURANCE**  
**Division 2120—State Board of Embalmers and Funeral  
Directors**  
**Chapter 3—Preneed**

**PROPOSED RESCISSION**

**20 CSR 2120-3.115 Contact Information.** This rule detailed the requirements for preneed providers, sellers, and agents for providing the board with current contact information.

**PURPOSE:** *The proposed rescission is being filed because the content of this regulation has been rewritten into other regulations as appropriate.*

**AUTHORITY:** sections 333.320, 333.340, and 436.520, RSMo Supp. 2009. Emergency rule filed Dec. 4, 2009, effective Dec. 14, 2009, expired June 11, 2010. Original rule filed Dec. 4, 2009, effective June 30, 2010. Rescinded: Filed July 6, 2020.

**PUBLIC COST:** *This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

**PRIVATE COST:** *This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed rescission with the State Board of Embalmers and Funeral Directors, 3605 Missouri Boulevard, PO Box 423, Jefferson City, MO 65102 0423, by facsimile at (573) 751 1155, or via email to [embalm@pr.mo.gov](mailto:embalm@pr.mo.gov). To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**Title 20—DEPARTMENT OF COMMERCE AND  
INSURANCE**  
**Division 2120—State Board of Embalmers and Funeral  
Directors**  
**Chapter 3—Preneed**

**PROPOSED RESCISSION**

**20 CSR 2120-3.120 Display of License.** This rule stated that preneed sellers, providers, and preneed agents must prominently display their license or registration to practice issued by the Missouri State Board of Embalmers and Funeral Directors.

**PURPOSE:** *The proposed rescission is being filed because the contents of this regulation has been rewritten into other regulations as appropriate.*

**AUTHORITY:** sections 333.330, 333.340, and 436.520, RSMo Supp. 2009. Emergency rule filed Dec. 4, 2009, effective Dec. 14, 2009, expired June 11, 2010. Original rule filed Dec. 4, 2009, effective June 30, 2010. Rescinded: Filed July 6, 2020.

**PUBLIC COST:** *This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

**PRIVATE COST:** *This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in

*support of or in opposition to this proposed rescission with the State Board of Embalmers and Funeral Directors, 3605 Missouri Boulevard, PO Box 423, Jefferson City, MO 65102 0423, by facsimile at (573) 751 1155, or via email to [embalm@pr.mo.gov](mailto:embalm@pr.mo.gov). To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

**Title 20—DEPARTMENT OF COMMERCE AND  
INSURANCE**  
**Division 2120—State Board of Embalmers and Funeral  
Directors**  
**Chapter 3—Preneed**

**PROPOSED RESCISSION**

**20 CSR 2120-3.125 Corporate Ownership of a Licensee.** This rule prescribed the requirements regarding corporation applications for a preneed provider or seller's license.

**PURPOSE:** *This proposed rescission is being filed because the content of this regulation has been rewritten into other regulations as appropriate.*

**AUTHORITY:** sections 333.315, 333.320, 333.340, and 436.456, RSMo Supp. 2009. Emergency rule filed Sept. 24, 2009, effective Oct. 4, 2009, expired April 1, 2010. Original rule filed Sept. 24, 2009, effective April 30, 2010. Rescinded: Filed July 6, 2020.

**PUBLIC COST:** *This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

**PRIVATE COST:** *This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed rescission with the State Board of Embalmers and Funeral Directors, 3605 Missouri Boulevard, PO Box 423, Jefferson City, MO 65102 0423, by facsimile at (573) 751 1155, or via email to [embalm@pr.mo.gov](mailto:embalm@pr.mo.gov). To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**Title 20—DEPARTMENT OF COMMERCE AND  
INSURANCE**  
**Division 2120—State Board of Embalmers and Funeral  
Directors**  
**Chapter 3—Preneed**

**PROPOSED RESCISSION**

**20 CSR 2120-3.305 Funeral Director Agent Registration.** This rule established the reporting requirement for any funeral directors serving as preneed agents.

**PURPOSE:** *The purpose of this rescission is to reduce duplicative regulation. This information is located within 20 CSR 20 2120 3.405.*

**AUTHORITY:** sections 333.325.4, 333.340, and 436.520, RSMo Supp. 2009. Emergency rule filed Dec. 4, 2009, effective Dec. 14, 2009, expired June 11, 2010. Original rule filed Dec. 4, 2009, effective June 30, 2010. Rescinded: Filed July 6, 2020.

**PUBLIC COST:** *This proposed rescission will not cost state agencies*

*or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the State Board of Embalmers and Funeral Directors, 3605 Missouri Boulevard, PO Box 423, Jefferson City, MO 65102 0423, by facsimile at (573) 751 1155, or via email to [embalm@pr.mo.gov](mailto:embalm@pr.mo.gov). To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**T**his section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order of rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

**T**he agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety-(90-) day period during which an agency shall file its Order of Rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the Proposed Rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

**Title 3—DEPARTMENT OF CONSERVATION**  
**Division 10—Conservation Commission**  
**Chapter 9—Wildlife Code: Confined Wildlife: Privileges, Permits, Standards**

**ORDER OF RULEMAKING**

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-9.353 Privileges of Class I and Class II Wildlife Breeders is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 15, 2020 (45 MoReg 721). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The Conservation Commission received four (4) comments from five (5) individuals on the proposal to allow the issuance of new permits for existing Class I and Class II wildlife breeder facilities for white tailed deer, white tailed deer hybrids, mule deer, or mule deer hybrids within twenty five (25) miles of the location of a department confirmed Chronic Wasting Disease positive animal during the five (5) year period following a confirmed positive.

**COMMENT #1:** Jeffery Keller, Martinsville, expressed general support for the changes.

**RESPONSE:** The commission appreciated Mr. Keller's support for the regulation change.

**COMMENT #2:** David Eckelkamp, New Haven, expressed opposition to the proposed changes and voiced concern that breeding facilities increase the spread of chronic wasting disease when they ship animals around the country.

**RESPONSE:** The commission is also concerned about limiting the spread of chronic wasting disease (CWD) and has enacted regulations related to the possession, movement, and testing of cervids from the wild and confined cervids to monitor disease prevalence and minimize the spread of CWD in Missouri. No changes have been made to the amendment as a result of these comments.

**COMMENT #3:** Andrew Acord, St. Louis, and Caleb Welch, Bolivar, expressed opposition to the proposed changes and voiced concern that animals held in these facilities contribute to the spread of chronic wasting disease to the local deer herd.

**RESPONSE:** The commission is also concerned about limiting the spread of chronic wasting disease (CWD) and has enacted regulations related to the possession, movement, and testing of cervids from the wild and confined cervids to monitor disease prevalence and minimize the spread of CWD in Missouri. No changes have been made to the amendment as a result of these comments.

**COMMENT #4:** Mitch Payne, Lake St. Louis, expressed opposition to the proposal and called for the removal of all wildlife breeders of deer from the state of Missouri.

**RESPONSE:** The commission is responsible for the control, conservation, and management of the wildlife resources of Missouri and has enacted regulations to protect the health and wellbeing of both deer in the wild and deer held in confinement by wildlife breeders. No changes have been made to the amendment as a result of these comments.

**Title 3—DEPARTMENT OF CONSERVATION**  
**Division 10—Conservation Commission**  
**Chapter 9—Wildlife Code: Confined Wildlife: Privileges, Permits, Standards**

**ORDER OF RULEMAKING**

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-9.565 Licensed Hunting Preserve: Privileges is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 15, 2020 (45 MoReg 721 723). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The Conservation Commission received three (3) comments from four (4) individuals on a proposal to allow the issuance of new permits for existing big game hunting preserves within twenty five (25) miles of the location of a department confirmed Chronic Wasting Disease positive animal during the five (5) year period following a confirmed positive. The proposal also corrects the name of a National Wildlife Refuge, standardizes the names of three (3) conservation areas, and alphabetizes those areas.

COMMENT #1: Jeffery Keller, Martinsville, expressed general support for the changes.

RESPONSE: The commission appreciated Mr. Keller's support for the regulation change.

COMMENT #2: Mitch Payne, Lake St. Louis, expressed opposition to the proposal and called for the removal of all wildlife breeders of deer from the state of Missouri.

RESPONSE: The commission is responsible for the control, conservation and management of the wildlife resources of Missouri and has enacted regulations to protect the health and wellbeing of both deer in the wild and deer held in confinement by wildlife breeders. No changes have been made to this amendment as a result of these comments.

COMMENT #3: Floella Trought, Otley, and Sue Badzek, AR, expressed general opposition for the changes; however, specific comments pertained to any future recommendations to establish a bear hunting season in Missouri.

RESPONSE: The opinions of these individuals have been addressed separately. No changes have been made to this amendment as a result of these comments.

**Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES**  
**Division 10—Office of the Director**  
**Chapter 4—Coordinated Health Care Services**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Department of Health and Senior Services under section 191.411.1, RSMo 2016, the department amends a rule as follows:

19 CSR 10 4.020 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 1, 2020 (45 MoReg 592 593). The section with changes is reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The Department of Health and Senior Services received four (4) letters with a total of eight (8) comments.

COMMENT #1: Ian D. Wagreich, Chair of the International Medical Graduate Taskforce Liaison Committee for the International Medical Graduate Taskforce, and Steve Zweig, MD, MSPH, Hugh E. and Sarah D. Stephenson Dean & Professor of Family and Community Medicine for the University of Missouri, expressed concern that the department was unclear if primary care physicians received priority over all other applicants.

RESPONSE AND EXPLANATION OF CHANGE: The department agrees with this comment and added a sentence to clarify this concern.

COMMENT #2: Ian D. Wagreich and Steve Zweig, MD, MSPH also expressed concern that the department was unclear if the proposed Congressional District allotment applied only to primary care physicians or included specialists as well.

RESPONSE AND EXPLANATION OF CHANGE: The department agrees with this comment and added a sentence to clarify this concern.

COMMENT #3: Bradley A. Sandler, Partner for Stinson LLP, Mark T. Steele, M.D., Executive Medical Director for University Health Physicians, and Steve Zweig, MD, MSPH, requested that the pro-

posed amendment be changed to permit the department to allocate waivers for specialists and subspecialists to tier one safety net providers after Primary Care Physician waivers are allocated and before remaining waivers are allocated by Congressional District.

RESPONSE: The department recognizes the desire that tier one safety net status should be factored into the decision making process, but feels that such a change would be premature without assessing if the proposed Congressional District approach relieves distribution concerns. No changes were made as a result of this comment.

COMMENT #4: Bradley A. Sandler, Mark T. Steele, and Steve Zweig, MD, MSPH also requested that the proposed amendment be changed to permit the department to use a wider range of factors other than HPSA for specialist evaluation.

RESPONSE: The department understands the desire for additional factors to be considered when evaluating applications, but does not find it necessary to add additional layers to the evaluation process at this time. No changes were made as a result of this comment.

COMMENT #5: Bradley A. Sandler, Mark T. Steele, Ian D. Wagreich, and Steve Zweig, MD, MSPH also requested that the proposed amendment be changed to require physicians to certify that they are not eligible for Delta Regional Authority or Health and Human Services waivers.

RESPONSE: The department appreciates the concerns that an applicant should be required to certify ineligibility for other federal programs such as the Delta Regional Authority or Health and Human Services waivers, but does not think it would be fair to force applicants to pay an application fee when the Missouri J 1 Visa application does not have an application fee. No changes were made as a result of this comment.

COMMENT #6: Steve Zweig, MD, MSPH requested that applications must state the reason why a particular HPSA score should apply.

RESPONSE: The department understands the desire that HPSA score clarification be included in the application to make the evaluation process easier for an applicant to understand as well as provide the department with more discretion, but the department has not experienced issues with HPSA scores needing to be clarified because the applicant's employer always has a HPSA score that does not need further clarification. No changes were made as a result of this comment.

COMMENT #7: Ian D. Wagreich requested that the proposed amendment be changed to have inherent flexibility in the event that more than thirty (30) waivers are able to be selected in the future.

RESPONSE: The department appreciates the comment that the current proposed amendment should be changed to have more inherent flexibility about the number of waivers allowed, but the department would be able to amend this rule at a later date in the event that more than thirty (30) waivers were able to be selected. No changes were made as a result of this comment.

COMMENT #8: Ian D. Wagreich also requested that the proposed amendment be changed to permit physicians to request a National Interest Waiver public support letter simultaneously with the J 1 waiver filing.

RESPONSE: While the department is not opposed to examining and amending its regulation regarding National Interest Waiver public support letters, such an amendment would require a rulemaking procedure separate and independent of this rulemaking. As a result, the department will not be addressing this concern at this time. No changes were made as a result of this comment.

**19 CSR 10-4.020 J-1 Visa Waiver Program**

(4) The department's J 1 Visa Waiver Program will give priority to those physicians in one (1) of the following primary care specialties:

Family Medicine, General Pediatrics, General Obstetrics and Gynecology, General Internal Medicine, or General Psychiatry. Primary Care Physician applications that meet all applicable requirements will always receive an available selection regardless of the location or HPSA score of the application. If the department receives more than thirty (30) completed application packages between October 1 and October 31, application packages will be prioritized in the following order:

(B) HPSA score of the health care facility employing the physician. Higher HPSA scores will be prioritized before lower HPSA scores.

1. In the event that up to six (6) Primary Care Physician applications are received, each Congressional district will be allotted three (3) J 1 Visa Waiver recommendations for specialists. Primary Care Physician applications will not impact other recommendations. If a Congressional district fails to fill its allotted recommendations, those recommendations in excess will be returned to the remaining pool of available recommendations. If a Congressional district has more than three (3) applications, the applications will be recommended based on HPSA score.

2. In the event that seven (7) or more, but no more than fourteen (14), Primary Care Physician applications are received, each Congressional district will be allotted two (2) J 1 Visa Waiver recommendations for specialists. Primary Care Physician applications will not impact other recommendations. If a Congressional district fails to fill its allotted recommendations, those recommendations in excess will be returned to the remaining pool of available recommendations. If a Congressional district has more than two (2) applications, the applications will be recommended based on HPSA score.

3. In the event that fifteen (15) or more, but no more than twenty two (22), Primary Care Physician applications are received, each Congressional district will be allotted one (1) J 1 Visa Waiver recommendation for a specialist. Primary Care Physician applications will not impact other recommendations. If a Congressional district fails to fill its allotted recommendations, those recommendations in excess will be returned back to the remaining pool of available recommendations. If a Congressional district has more than one (1) application, the application will be recommended based on HPSA score.

4. In the event that more than twenty two (22) primary care physician applications are received, all remaining applications will be recommended based on the highest HPSA score of the specialist(s).

5. In the event that more than thirty (30) Primary Care Physician applications are received, all applications will be recommended based on the highest HPSA score.

**SUMMARY OF COMMENTS:** The Department of Health and Senior Services received no comments.

**Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES**

**Division 30—Division of Regulation and Licensure**  
**Chapter 70—Lead Abatement and Assessment Licensing, Training Accreditation**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Department of Health and Senior Services under section 701.301, RSMo 2016, and section 701.312, RSMo Supp. 2019, the department amends a rule as follows:

**19 CSR 30-70.630 Lead Abatement Work Practice Standards is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 1, 2020 (45 MoReg 594 595). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The Department of Health and Senior Services received no comments.

**Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES**

**Division 30—Division of Regulation and Licensure**  
**Chapter 70—Lead Abatement and Assessment Licensing, Training Accreditation**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Department of Health and Senior Services under section 701.301, RSMo 2016, and section 701.312, RSMo Supp. 2019, the department amends a rule as follows:

**19 CSR 30-70.620 Work Practice Standards for a Lead Risk Assessment is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 1, 2020 (45 MoReg 594). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**T**his section may contain notice of hearings, correction notices, public information notices, rule action notices, statements of actual costs, and other items required to be published in the *Missouri Register* by law.

**Title 2—DEPARTMENT OF AGRICULTURE**  
**Division 90—Weights, Measures and Consumer Protection**

**FISCAL YEAR JULY 1, 2020–JUNE 30, 2021**

**PURPOSE:** *This proposed budget is filed in compliance with the provisions of section 323.025.10 RSMo 2016, which requires the Missouri Propane Safety Commission to prepare and submit a budget plan for public comment.*

**INCOME:**

Estimated Assessments*	\$ 621,000
Interest Income	\$ 5,600
<b>Total Income:</b>	<b>\$ 626,600</b>

**EXPENSES:**

Furnishings, Equipment and Vehicle	
Depreciation Amortization	\$ 18,250
Rent, Utility and Communication Expenses	\$ 22,496
Professional and Contract Services	\$ 39,100
Operating Expenses	\$ 14,650
Personnel Expenses	\$312,000
Employee Benefits	\$ 75,300
Inspection and Meeting Expenses	\$ 46,000
Commissioner Expenses	\$ 5,700
Insurance Expenses	\$ 4,200
<b>Total Expenses:</b>	<b>\$537,696</b>

<b>NET</b>	<b>\$ 88,904</b>
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\*Assessment rate: 0.00225/gallon

**AUTHORITY:** *section 323.025.10, RSMo 2016.*

**NOTICE TO SUBMIT COMMENTS:** *Anyone may file a statement in support of or in opposition to this proposed budget with the Missouri Propane Safety Commission, 4110 Country Club Drive, Suite 200, Jefferson City, Missouri 65109 0302. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 6—DEPARTMENT OF HIGHER EDUCATION AND WORKFORCE DEVELOPMENT**  
**Division 300—Office of Workforce Development**  
**Chapter 1—Organization**

**NON-SUBSTANTIVE CHANGE REQUEST**

The Department of Higher Education and Workforce Development requests that the secretary of state make a non substantive change to the following rule(s) in accordance with the provisions of section 536.032, RSMo. The name of the division was changed from the Division of Workforce Development to the Office of Workforce Development. The department was changed from the Department of Economic Development to the Department of Higher Education and Workforce Development.

Economic Development to the Department of Higher Education and Workforce Development. Additionally, the address of the Office of Workforce Development was changed from PO Box 1087, Jefferson City, MO 65102 to 301 W. High Street, Jefferson City, MO 65101.

**6 CSR 300-1.010 General Organization**

Purpose, sections (1) and (2) and subsection (8)(A)

This change will appear in the August 31, 2020 update to the *Code of State Regulations*.

**Title 6—DEPARTMENT OF HIGHER EDUCATION AND WORKFORCE DEVELOPMENT**  
**Division 300—Office of Workforce Development**  
**Chapter 6—Show Me Heroes**

**NON-SUBSTANTIVE CHANGE REQUEST**

The Department of Higher Education and Workforce Development requests that the secretary of state make a non substantive change to the following rule(s) in accordance with the provisions of section 536.032, RSMo. The name of the division was changed from the Division of Workforce Development to the Office of Workforce Development. The department was changed from the Department of Economic Development to the Department of Higher Education and Workforce Development.

**6 CSR 300-6.010 Purpose; Definitions**

Purpose, sections (1) and (3)

This change will appear in the August 31, 2020 update to the *Code of State Regulations*.

**Title 20—DEPARTMENT OF COMMERCE AND INSURANCE**

**Division 2220—State Board of Pharmacy**  
**Chapter 6—Pharmaceutical Care Standards**

**IN ADDITION**

**NOTICE OF SUSPENSION OF RULE**

**20 CSR 2220-6.040 Administration by Medical Prescription Order**

**ACTION TAKEN:** *This NOTICE OF SUSPENSION OF 20 CSR 2220 6.040(8).*

*Section (8) has been waived to allow pharmacists to renew their Notification of Intent to administer medication by medical prescription order without a current CPR certificate, if the pharmacist is unable to update their CPR certification before renewing (e.g., CPR course is unavailable, live training component not being offered).*

**EMERGENCY STATEMENT:** *Pursuant to Executive Order (EO) 20 04 dated March 18, 2020, and EO 20 09 dated April 24, 2020, and EO 20 12 dated June 11, 2020, the rule is suspended effective July 13, 2020 until December 30, 2020.*

**Title 20—DEPARTMENT OF COMMERCE AND  
INSURANCE**

**Division 2220—State Board of Pharmacy  
Chapter 6—Pharmaceutical Care Standards**

**IN ADDITION**

**NOTICE OF SUSPENSION OF RULE**

**20 CSR 2220-6.050 Administration of Vaccines Per Protocol**

*ACTION TAKEN: This NOTICE OF SUSPENSION OF 20 CSR 2220 6.050(7)(A) and (B).*

*Subsection (7)(A) has been waived to allow pharmacists to renew their Notification of Intent (NOI) to immunize by protocol in 2020 without a current CPR certificate, if the pharmacist is unable to update their CPR certification before renewing (e.g., CPR course is unavailable, live training component not being offered).*

*Subsection (7)(B) has been waived to allow pharmacists to renew their NOI to immunize by protocol in 2020 without the required immunization continuing education (CE), if the pharmacist is unable to complete the required CE before renewing.*

*EMERGENCY STATEMENT: Pursuant to Executive Order (EO) 20 04 dated March 18, 2020, and EO 20 09 dated April 24, 2020, and EO 20 12 dated June 11, 2020, the rule is suspended effective July 13, 2020 until December 30, 2020.*

**Title 20—DEPARTMENT OF COMMERCE AND  
INSURANCE**

**Division 2220—State Board of Pharmacy  
Chapter 7—Licensing**

**IN ADDITION**

**NOTICE OF SUSPENSION OF RULE**

**20 CSR 2220-7.025 Intern Pharmacist Licensure**

*ACTION TAKEN: This NOTICE OF SUSPENSION OF 20 CSR 2220 7.025(4)(C).*

*Subsection (4)(C) has been waived to allow intern pharmacists to earn more than forty eight (48) hours per week until December 30, 2020.*

*EMERGENCY STATEMENT: Pursuant to Executive Order (EO) 20 04 dated March 18, 2020, and EO 20 09 dated April 24, 2020, and EO 20 12 dated June 11, 2020, the rule is suspended effective July 13, 2020 until December 30, 2020.*

**Title 20—DEPARTMENT OF COMMERCE AND  
INSURANCE**

**Division 2220—State Board of Pharmacy  
Chapter 7—Licensing**

**IN ADDITION**

**NOTICE OF SUSPENSION OF RULE**

**20 CSR 2220-7.080 Pharmacist License Renewal and Continuing  
Pharmacy Education**

*ACTION TAKEN: This NOTICE OF SUSPENSION OF 20 CSR 2220*

*7.080(2).*

*Section (2) has been waived to decrease the number of required pharmacist continuing education (CE) hours for the 2020 renewal period from thirty (30) hours to fifteen (15) hours.*

*EMERGENCY STATEMENT: Pursuant to Executive Order (EO) 20 04 dated March 18, 2020, and EO 20 09 dated April 24, 2020, and EO 20 12 dated June 11, 2020, the rule is suspended effective July 13, 2020 until December 30, 2020.*

**T**he Secretary of State is required by sections 347.141 and 359.481, RSMo, to publish dissolutions of limited liability companies and limited partnerships. The content requirements for the one-time publishing of these notices are prescribed by statute. This listing is published pursuant to these statutes. We request that documents submitted for publication in this section be submitted in camera ready 8 1/2" x 11" manuscript by email to adrules.dissolutions@sos.mo.gov.

**NOTICE OF WINDING UP OF LIMITED  
LIABILITY COMPANY TO ALL CREDITORS OF AND  
CLAIMANTS AGAINST  
ESSENTIAL EDGE, LLC**

On May 20, 2020, Essential Edge, LLC, a Missouri limited liability company ("Company"), filed its Notice of Winding Up with the Missouri Secretary of State, effective on the filing date.

All persons and organizations must submit to Company, c/o Danna McKitrick, P.C., Attn: David Zobel, 7701 Forsyth Blvd., St. Louis, MO 63105, a written summary of any claims against Company, including: 1) claimant's name, address and telephone number; 2) amount of claim; 3) date(s) claim accrued (or will accrue); 4) brief description of the nature of the debt or the basis for the claim; and 5) if the claim is secured, and if so, the collateral used as security.

Because of the dissolution, any claims against Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the last of filing or publication of this Notice.

**NOTICE OF WINDING UP OF LIMITED  
LIABILITY COMPANY TO ALL CREDITORS OF AND  
CLAIMANTS AGAINST  
FORTITUDE HEALTH SOLUTIONS, LLC**

On May 20, 2020, Fortitude Health Solution, LLC, a Missouri limited liability company ("Company"), filed its Notice of Winding Up with the Missouri Secretary of State, effective on the filing date.

All persons and organizations must submit to Company, c/o Danna McKitrick, P.C., Attn: David Zobel, 7701 Forsyth Blvd., St. Louis, MO 63105, a written summary of any claims against Company, including: 1) claimant's name, address and telephone number; 2) amount of claim; 3) date(s) claim accrued (or will accrue); 4) brief description of the nature of the debt or the basis for the claim; and 5) if the claim is secured, and if so, the collateral used as security.

Because of the dissolution, any claims against Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the last of filing or publication of this Notice.

Notice of Dissolution of  
Limited Liability Company  
To All Creditors of and  
Claimants Against  
BREAKDOWN BACKUP LLC

On July 2, 2020, BreakDown BackUp LLC, a Missouri LLC (the "Company"), filed its Notice of Winding Up with the Missouri Secretary of State, effective on the filing date. Claims against the Company shall be mailed to Denker Law Firm LLC, 229 SE Douglas, Ste 210, Lee's Summit, MO 64063. Claims must include: the name, address and phone number of the claimant; the amount being claimed; the date on which the claim arose; the basis for the claim; and all documentation to support the claim. All claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three years after the last publication of the notice.

**NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY TO ALL CREDITORS  
AND CLAIMANTS AGAINST Putnam Orthopaedic Clinic, LLC**

On June 9, 2020, Putnam Orthopaedic Clinic, LLC filed its notice of winding up with Missouri Secretary of State.

Claims against the corporation must be submitted to Dr. John L. Putnam 4350 S National Ave., Suite C200 Springfield, MO 65810. Claims must contain: 1) Claimant name, address, and telephone number; 2) the amount claimed; 3) the date on which the claim arose; &4) a brief description of the basis of the claim, including supporting documentation.

All claims against Putnam Orthopaedic Clinic, LLC will be barred unless a proceeding to enforce the claim are commenced within three (3) years of the date this notice was published.

**NOTICE OF DISSOLUTION TO ALL CREDITORS OF  
AND CLAIMS AGAINST 535 WESTPORT, LLC.**

On June 29, 2020, 535 Westport, LLC, a Missouri limited liability company, filed its Articles of Termination with the Missouri Secretary of State.

You are hereby notified that if you believe you have a claim against 535 Westport, LLC, you must submit a summary in writing of the circumstances surrounding your claim to Levy Craig Law Firm, Attn: Jeff Bauer, 4520 Main Street, Suite 1600, Kansas City, MO 64111. The summary of your claim must include the following information: 1) The name, address, and telephone number of the claimant; 2) The amount of the claim; 3) The date on which the event on which the claim is based occurred; and 4) A brief description of the nature of the debt or the basis for the claim.

All claims against 535 Westport, LLC will be barred unless the proceeding to enforce the claim is commenced within 3 years after the publication of this Notice.

Please feel free to contact me if you need any further information.

Thank you,  
Dustin



Dustin Stanton	Direct: (308) 575-0246
Paralegal	Fax: (816) 382-6603
4520 Main Street	E-mail: <a href="mailto:dstanton@levycraig.com">dstanton@levycraig.com</a>
Suite 1600	<a href="http://www.levycraig.com">www.levycraig.com</a>
Kansas City, MO 64111	

**NOTICE OF WINDING UP FOR  
MISSOURI PROPERTY INSPECTIONS, LLC**

On July 13, 2020, Missouri Property Inspections, LLC, a Missouri limited liability company (the "Company"), filed its Notice of Winding Up with the Missouri Secretary of State. All persons and organizations with claims against the Company must submit a written summary of any claims against the Company to Missouri Property Inspections, LLC, c/o THE LAW OFFICE OF JESSE A. GRANNEMAN, LLC, 20 Manor Drive, P.O. Box 250, Troy, Missouri 63379, which summary shall include the name, address, and telephone number of the claimant, the amount of the claim, date(s) the claim accrued, a brief description of the nature and basis for the claim, and any documentation of the claim. Claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*, citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year 43 (2018) and 44 (2019). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable, RAN indicates a rule action notice, RUC indicates a rule under consideration, and F indicates future effective date.

Rule Number	Agency	Emergency	Proposed	Order	In Addition
<b>OFFICE OF ADMINISTRATION</b>					
Periodic Rule Review					
1 CSR					45 MoReg 1030
1 CSR 10	State Officials' Salary Compensation Schedule				44 MoReg 2847
1 CSR 10 3.010	Commissioner of Administration	45 MoReg 415	45 MoReg 417	45 MoReg 1073	
1 CSR 10 3.020	Commissioner of Administration	45 MoReg 773	45 MoReg 791		
1 CSR 20 5.030	Personnel Advisory Board and Division of Personnel	45 MoReg 774	45 MoReg 792		
<b>DEPARTMENT OF AGRICULTURE</b>					
Periodic Rule Review					
2 CSR					45 MoReg 1030
2 CSR 30 2.005	Animal Health	45 MoReg 775	45 MoReg 793		
2 CSR 30 2.010	Animal Health		45 MoReg 417	45 MoReg 1073	
2 CSR 30 2.016	Animal Health	45 MoReg 1107	45 MoReg 1111		
2 CSR 30 9.010	Animal Health		45 MoReg 9	45 MoReg 832	
2 CSR 30 9.020	Animal Health		45 MoReg 11	45 MoReg 832	
2 CSR 30 9.030	Animal Health		45 MoReg 21	45 MoReg 832	
2 CSR 30 9.040	Animal Health		45 MoReg 24		
2 CSR 30 10.010	Animal Health	45 MoReg 416	45 MoReg 418	45 MoReg 1073	
2 CSR 80 5.010	State Milk Board		45 MoReg 418	45 MoReg 1118	
2 CSR 90	Weights, Measures and Consumer Protection				This Issue
2 CSR 90 10.020	Weights, Measures and Consumer Protection		45 MoReg 418	45 MoReg 1018	
2 CSR 90 10.040	Weights, Measures and Consumer Protection		45 MoReg 419	45 MoReg 1018	
<b>DEPARTMENT OF CONSERVATION</b>					
Periodic Rule Review					
3 CSR					45 MoReg 1030
3 CSR 10 4.111	Conservation Commission		45 MoReg 455	45 MoReg 1018	
3 CSR 10 6.405	Conservation Commission		45 MoReg 455	45 MoReg 1018	
3 CSR 10 6.415	Conservation Commission		45 MoReg 456	45 MoReg 1019	
3 CSR 10 6.535	Conservation Commission		45 MoReg 456	45 MoReg 1019	
3 CSR 10 6.550	Conservation Commission		45 MoReg 457	45 MoReg 1019	
3 CSR 10 6.605	Conservation Commission		45 MoReg 457	45 MoReg 1019	
3 CSR 10 7.405	Conservation Commission		45 MoReg 992		
3 CSR 10 7.410	Conservation Commission		45 MoReg 992		
3 CSR 10 7.433	Conservation Commission			45 MoReg 1019	
3 CSR 10 7.434	Conservation Commission			45 MoReg 1020	
3 CSR 10 7.435	Conservation Commission			45 MoReg 1020	
3 CSR 10 7.437	Conservation Commission			45 MoReg 1021	
3 CSR 10 7.600	Conservation Commission			45 MoReg 1021	
3 CSR 10 8.505	Conservation Commission		45 MoReg 457	45 MoReg 1021	
3 CSR 10 8.515	Conservation Commission		45 MoReg 458	45 MoReg 1022	
3 CSR 10 9.353	Conservation Commission		45 MoReg 721	This Issue	
3 CSR 10 9.565	Conservation Commission		45 MoReg 721	This Issue	
3 CSR 10 9.575	Conservation Commission		45 MoReg 458	45 MoReg 1022	
3 CSR 10 10.725	Conservation Commission		45 MoReg 459	45 MoReg 1022	
3 CSR 10 10.726	Conservation Commission		45 MoReg 459	45 MoReg 1022	
3 CSR 10 10.739	Conservation Commission		45 MoReg 459	45 MoReg 1022	
3 CSR 10 10.743	Conservation Commission		45 MoReg 462	45 MoReg 1023	
3 CSR 10 10.788	Conservation Commission		45 MoReg 462	45 MoReg 1023	
3 CSR 10 10.789	Conservation Commission		45 MoReg 464	45 MoReg 1023	
3 CSR 10 11.110	Conservation Commission		45 MoReg 467	45 MoReg 1024	
3 CSR 10 11.115	Conservation Commission		45 MoReg 468	45 MoReg 1024	
3 CSR 10 11.145	Conservation Commission		45 MoReg 468	45 MoReg 1024	
3 CSR 10 11.160	Conservation Commission		45 MoReg 468	45 MoReg 1025	
3 CSR 10 11.180	Conservation Commission		45 MoReg 469	45 MoReg 1025	
3 CSR 10 11.181	Conservation Commission		45 MoReg 471	45 MoReg 1025	
3 CSR 10 11.184	Conservation Commission		45 MoReg 471	45 MoReg 1025	
3 CSR 10 11.205	Conservation Commission		45 MoReg 472	45 MoReg 1025	
3 CSR 10 11.220	Conservation Commission		45 MoReg 472	45 MoReg 1026	
3 CSR 10 12.110	Conservation Commission		45 MoReg 472	45 MoReg 1026	
3 CSR 10 12.115	Conservation Commission		45 MoReg 473	45 MoReg 1026	
3 CSR 10 12.125	Conservation Commission			45 MoReg 1026	
3 CSR 10 12.135	Conservation Commission		45 MoReg 474	45 MoReg 1026	
3 CSR 10 20.805	Conservation Commission		45 MoReg 474	45 MoReg 1027	
<b>DEPARTMENT OF ECONOMIC DEVELOPMENT</b>					
Periodic Rule Review					
4 CSR					45 MoReg 1030
4 CSR 195 1.010	Division of Workforce Development <i>moved to 6 CSR 300 1.010</i>				45 MoReg 1130
4 CSR 195 6.010	Division of Workforce Development <i>moved to 6 CSR 300 6.010</i>				45 MoReg 1130
4 CSR 195 6.020	Division of Workforce Development <i>moved to 6 CSR 300 6.020</i>				45 MoReg 1130
4 CSR 195 6.030	Division of Workforce Development <i>moved to 6 CSR 300 6.030</i>				45 MoReg 1130
4 CSR 195 6.040	Division of Workforce Development <i>moved to 6 CSR 300 6.040</i>				45 MoReg 1130
4 CSR 195 6.050	Division of Workforce Development <i>moved to 6 CSR 300 6.050</i>				45 MoReg 1130

Rule Number	Agency	Emergency	Proposed	Order	In Addition
<b>DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION</b>					
5 CSR	Periodic Rule Review				45 MoReg 1030
5 CSR 10 2.010	Commissioner of Education		45 MoReg 589R		
5 CSR 10 2.020	Commissioner of Education		45 MoReg 589R		
5 CSR 10 2.030	Commissioner of Education		45 MoReg 589R		
5 CSR 20 100.230	Division of Learning Services		45 MoReg 1067		
5 CSR 20 300.110	Division of Learning Services			45 MoReg 953	
5 CSR 20 400.160	Division of Learning Services		45 MoReg 993R		
5 CSR 20 400.170	Division of Learning Services		45 MoReg 993R		
5 CSR 20 400.190	Division of Learning Services		45 MoReg 994R		
5 CSR 20 400.200	Division of Learning Services		45 MoReg 994R		
5 CSR 20 400.300	Division of Learning Services		45 MoReg 590R		
5 CSR 20 400.310	Division of Learning Services		45 MoReg 590R		
5 CSR 20 400.320	Division of Learning Services		45 MoReg 590R		
5 CSR 20 400.330	Division of Learning Services		45 MoReg 31I	45 MoReg III8	
5 CSR 20 400.440	Division of Learning Services		45 MoReg 59I		
5 CSR 20 400.660	Division of Learning Services		45 MoReg 476		
5 CSR 30 4.050	Division of Financial and Administrative Services	45 MoReg 879			
5 CSR 30 261.045	Division of Financial and Administrative Services		45 MoReg 592		
5 CSR 30 660.085	Division of Financial and Administrative Services	This Issue	This Issue		
5 CSR 100 200.085	Missouri Commission for the Deaf and Hard of Hearing		45 MoReg 354	45 MoReg 953	
5 CSR 100 200.150	Missouri Commission for the Deaf and Hard of Hearing		45 MoReg 354	45 MoReg 953	
<b>DEPARTMENT OF HIGHER EDUCATION AND WORKFORCE DEVELOPMENT</b>					
6 CSR	Periodic Rule Review				45 MoReg 1030
6 CSR 300 1.010	Office of Workforce Development <i>formally 4 CSR 195 1.010</i>				45 MoReg 1130 This Issue
6 CSR 300 6.010	Office of Workforce Development <i>formally 4 CSR 195 6.010</i>				45 MoReg 1130 This Issue
6 CSR 300 6.020	Office of Workforce Development <i>formally 4 CSR 195 6.020</i>				45 MoReg 1130
6 CSR 300 6.030	Office of Workforce Development <i>formally 4 CSR 195 6.030</i>				45 MoReg 1130
6 CSR 300 6.040	Office of Workforce Development <i>formally 4 CSR 195 6.040</i>				45 MoReg 1130
6 CSR 300 6.050	Office of Workforce Development <i>formally 4 CSR 195 6.050</i>				45 MoReg 1130
<b>MISSOURI DEPARTMENT OF TRANSPORTATION</b>					
7 CSR 10 6.040	Missouri Highways and Transportation Commission				45 MoReg 957
7 CSR 10 25.010	Missouri Highways and Transportation Commission		45 MoReg 531		
<b>DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS</b>					
8 CSR 50 5.005	Division of Workers' Compensation	45 MoReg 713			
8 CSR 60 2.025	Missouri Commission on Human Rights		45 MoReg 31I	45 MoReg 954	
8 CSR 60 3.010	Missouri Commission on Human Rights		45 MoReg 312	45 MoReg 954	
<b>DEPARTMENT OF MENTAL HEALTH</b>					
9 CSR 10 7.030	Director, Department of Mental Health				45 MoReg 837
9 CSR 30 3.100	Certification Standards				45 MoReg 837
9 CSR 30 4.035	Certification Standards				45 MoReg 837
9 CSR 40 1.015	Licensing Rules		45 MoReg 897		
9 CSR 40 1.055	Licensing Rules		45 MoReg 903		
9 CSR 40 1.060	Licensing Rules		45 MoReg 909		
9 CSR 40 1.065	Licensing Rules		45 MoReg 91I		
9 CSR 40 1.070	Licensing Rules		45 MoReg 913		
9 CSR 40 1.075	Licensing Rules		45 MoReg 914		
9 CSR 40 1.080	Licensing Rules		45 MoReg 917		
9 CSR 40 1.085	Licensing Rules		45 MoReg 918		
9 CSR 40 1.090	Licensing Rules		45 MoReg 920		
9 CSR 40 1.105	Licensing Rules		45 MoReg 923R		
9 CSR 40 2.015	Licensing Rules		45 MoReg 923R		
9 CSR 40 2.075	Licensing Rules		45 MoReg 924R		
9 CSR 40 3.115	Licensing Rules		45 MoReg 924R		
9 CSR 40 3.135	Licensing Rules		45 MoReg 924R		
9 CSR 40 4.001	Licensing Rules		45 MoReg 925		
9 CSR 40 4.095	Licensing Rules		45 MoReg 926R		
9 CSR 40 4.115	Licensing Rules		45 MoReg 926R		
9 CSR 40 4.116	Licensing Rules		45 MoReg 926R		
9 CSR 40 4.135	Licensing Rules		45 MoReg 927R		
9 CSR 40 4.145	Licensing Rules		45 MoReg 927R		
9 CSR 40 4.155	Licensing Rules		45 MoReg 927R		
9 CSR 40 6.001	Licensing Rules		45 MoReg 928		
9 CSR 40 6.015	Licensing Rules		45 MoReg 928R		
9 CSR 40 6.035	Licensing Rules		45 MoReg 929R		
9 CSR 40 6.055	Licensing Rules		45 MoReg 929R		
9 CSR 40 6.075	Licensing Rules		45 MoReg 929R		
9 CSR 40 7.015	Licensing Rules		45 MoReg 930R		
9 CSR 40 7.035	Licensing Rules		45 MoReg 930R		
9 CSR 40 7.055	Licensing Rules		45 MoReg 930R		
9 CSR 40 7.075	Licensing Rules		45 MoReg 930R		
9 CSR 40 8.075	Licensing Rules		45 MoReg 931R		
9 CSR 40 9.015	Licensing Rules		45 MoReg 931R		
9 CSR 40 9.035	Licensing Rules		45 MoReg 931R		
9 CSR 40 9.055	Licensing Rules		45 MoReg 932R		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
9 CSR 40 9.075	Licensing Rules		45 MoReg 932		
9 CSR 40 9.095	Licensing Rules		45 MoReg 934R		
9 CSR 40 9.115	Licensing Rules		45 MoReg 934R		
9 CSR 40 9.135	Licensing Rules		45 MoReg 935R		
9 CSR 40 9.145	Licensing Rules		45 MoReg 935R		
9 CSR 40 9.155	Licensing Rules		45 MoReg 935R		
9 CSR 40 10.015	Licensing Rules		45 MoReg 935R		
9 CSR 40 10.035	Licensing Rules		45 MoReg 936R		
9 CSR 40 10.055	Licensing Rules		45 MoReg 936R		
9 CSR 40 10.075	Licensing Rules		45 MoReg 936R		
9 CSR 40 10.095	Licensing Rules		45 MoReg 937R		
9 CSR 40 10.115	Licensing Rules		45 MoReg 937R		
9 CSR 40 10.135	Licensing Rules		45 MoReg 937R		
9 CSR 40 10.145	Licensing Rules		45 MoReg 938R		
9 CSR 40 10.155	Licensing Rules		45 MoReg 938R		
9 CSR 45 2.010	Division of Developmental Disabilities				45 MoReg 837
9 CSR 45 2.017	Division of Developmental Disabilities				45 MoReg 837
9 CSR 45 3.070	Division of Developmental Disabilities				45 MoReg 837
9 CSR 45 3.080	Division of Developmental Disabilities				45 MoReg 838
<b>DEPARTMENT OF NATURAL RESOURCES</b>					
10 CSR 10 2.330	Air Conservation Commission		45 MoReg 312R	45 MoReg 1118R	45 MoReg 957
10 CSR 10 5.390	Air Conservation Commission		45 MoReg 25	45 MoReg 1119	
10 CSR 10 5.500	Air Conservation Commission		44 MoReg 2817	45 MoReg 954	
10 CSR 10 5.540	Air Conservation Commission		44 MoReg 320I	45 MoReg 954	
10 CSR 10 6.061	Air Conservation Commission		45 MoReg 27	45 MoReg 1121	
10 CSR 10 6.070	Air Conservation Commission		45 MoReg 32	45 MoReg 1125	
10 CSR 10 6.075	Air Conservation Commission		45 MoReg 33	45 MoReg 1125	
10 CSR 10 6.080	Air Conservation Commission		45 MoReg 33	45 MoReg 1125	
10 CSR 10 6.110	Air Conservation Commission	This Issue			
10 CSR 10 6.241	Air Conservation Commission		44 MoReg 2820	45 MoReg 955	
10 CSR 10 6.270	Air Conservation Commission		45 MoReg 34	45 MoReg 1126	
10 CSR 10 6.405	Air Conservation Commission		45 MoReg 35	45 MoReg 1126	
10 CSR 20 6.300	Clean Water Commission				45 MoReg 838
10 CSR 20 9.030	Clean Water Commission				45 MoReg 839
10 CSR 20 14.020	Clean Water Commission				45 MoReg 839
10 CSR 25 12.010	Hazardous Waste Management Commission	45 MoReg 527	45 MoReg 994		
10 CSR 60 11.010	Safe Drinking Water Commission				45 MoReg 1031
10 CSR 60 11.030	Safe Drinking Water Commission				45 MoReg 1031
10 CSR 60 14.020	Safe Drinking Water Commission				45 MoReg 840
10 CSR 60 16.010	Safe Drinking Water Commission	This Issue			
10 CSR 60 16.020	Safe Drinking Water Commission	This Issue			
10 CSR 60 16.030	Safe Drinking Water Commission	This Issue			
10 CSR 60 16.040	Safe Drinking Water Commission	This Issue			
10 CSR 140 2	Energy Set Aside Fund				45 MoReg 1130
<b>DEPARTMENT OF PUBLIC SAFETY</b>					
11 CSR 40 3.010	Division of Fire Safety				45 MoReg 840
11 CSR 40 7.010	Division of Fire Safety				45 MoReg 840
II CSR 45 11.020	Missouri Gaming Commission		45 MoReg 102	45 MoReg 1027	
II CSR 45 11.110	Missouri Gaming Commission		45 MoReg 105	45 MoReg 1027	
II CSR 45 30.090	Missouri Gaming Commission		45 MoReg 105	45 MoReg 1028	
II CSR 45 30.130	Missouri Gaming Commission		45 MoReg 105	45 MoReg 1028	
II CSR 70 2.190	Division of Alcohol and Tobacco Control				45 MoReg 840
II CSR 75 13.050	Peace Officer Standards and Training Program		45 MoReg 1111		
II CSR 75 14.050	Peace Officer Standards and Training Program		45 MoReg 1112		
II CSR 90 1.010	Missouri 911 Service Board		45 MoReg 879	45 MoReg 938	
II CSR 90 1.020	Missouri 911 Service Board		45 MoReg 880	45 MoReg 939	
II CSR 90 1.030	Missouri 911 Service Board		45 MoReg 880	45 MoReg 939	
II CSR 90 1.040	Missouri 911 Service Board		45 MoReg 881	45 MoReg 940	
II CSR 90 1.050	Missouri 911 Service Board		45 MoReg 882	45 MoReg 940	
II CSR 90 2.010	Missouri 911 Service Board		45 MoReg 882	45 MoReg 940	
II CSR 90 2.020	Missouri 911 Service Board		45 MoReg 883	45 MoReg 941	
II CSR 90 2.030	Missouri 911 Service Board		45 MoReg 885	45 MoReg 943	
II CSR 90 2.040	Missouri 911 Service Board		45 MoReg 886	45 MoReg 944	
II CSR 90 2.050	Missouri 911 Service Board		45 MoReg 887	45 MoReg 944	
II CSR 90 3.010	Missouri 911 Service Board		45 MoReg 888	45 MoReg 945	
<b>DEPARTMENT OF REVENUE</b>					
12 CSR 10 23.550	Director of Revenue		45 MoReg 206	45 MoReg 832	
12 CSR 10 24.030	Director of Revenue				45 MoReg 840
12 CSR 10 24.305	Director of Revenue				45 MoReg 841
12 CSR 10 26.210	Director of Revenue				45 MoReg 841
12 CSR 10 102.100	Director of Revenue		45 MoReg 207	45 MoReg 832	
12 CSR 30 4.010	State Tax Commission		45 MoReg 207	45 MoReg 955	
12 CSR 40 50.050	State Lottery				45 MoReg 1131
<b>DEPARTMENT OF SOCIAL SERVICES</b>					
13 CSR 35 31.060	Children's Division	45 MoReg 985			
13 CSR 35 60.020	Children's Division		45 MoReg 1112		
13 CSR 35 60.040	Children's Division		45 MoReg 1113		
13 CSR 35 60.080	Children's Division		45 MoReg 1117		
13 CSR 35 60.120	Children's Division	45 MoReg 888	45 MoReg 945		
13 CSR 40 2.080	Family Support Division		45 MoReg 419	45 MoReg 1074	
13 CSR 40 2.160	Family Support Division	45 MoReg 775	45 MoReg 793		
13 CSR 40 2.210	Family Support Division		45 MoReg 946R		
13 CSR 40 3.010	Family Support Division		45 MoReg 999		
	moved to T3 CSR 40 108.010				
13 CSR 40 108.010	Family Support Division		45 MoReg 999		
	formerly 13 CSR 40 3.010				
13 CSR 40 112.010	Family Support Division		45 MoReg 420	45 MoReg 1074	
13 CSR 70 3.100	MO HealthNet Division		45 MoReg 358	45 MoReg 1028	

Rule Number	Agency	Emergency	Proposed	Order	In Addition
13 CSR 70 3.320	MO HealthNet Division		This Issue		
13 CSR 70 10.016	MO HealthNet Division	45 MoReg 345	45 MoReg 358	45 MoReg 1028	
13 CSR 70 15.010	MO HealthNet Division		45 MoReg 796		
13 CSR 70 15.015	MO HealthNet Division	45 MoReg 778	45 MoReg 809		
13 CSR 70 15.110	MO HealthNet Division		45 MoReg 817		
13 CSR 70 20.340	MO HealthNet Division		45 MoReg 364	45 MoReg 1028	
13 CSR 70 25.130	MO HealthNet Division		45 MoReg 420	45 MoReg 1074	
13 CSR 70 45.010	MO HealthNet Division		45 MoReg 946		
13 CSR 70 60.010	MO HealthNet Division		45 MoReg 365	45 MoReg 1029	
13 CSR 70 91.010	MO HealthNet Division				45 MoReg 841
13 CSR 70 95.010	MO HealthNet Division		45 MoReg 826		
15 CSR 30 15.030	<b>ELECTED OFFICIALS</b> Secretary of State		45 MoReg 372	45 MoReg 955	
16 CSR 10 3.010	<b>RETIREMENT SYSTEMS</b> The Public School Retirement System of Missouri		45 MoReg 372	45 MoReg 955	
16 CSR 10 5.020	The Public School Retirement System of Missouri		45 MoReg 1000		
16 CSR 10 6.020	The Public School Retirement System of Missouri		45 MoReg 373	45 MoReg 955	
16 CSR 10 6.070	The Public School Retirement System of Missouri		45 MoReg 1002		
16 CSR 50 20.070	The County Employees' Retirement Fund	This Issue			
16 CSR 50 20.120	The County Employees' Retirement Fund	This Issue			
19 CSR 10 4.020	<b>DEPARTMENT OF HEALTH AND SENIOR SERVICES</b> Office of the Director		45 MoReg 592	This Issue	
19 CSR 10 15.020	Office of the Director		45 MoReg 478	45 MoReg 1127	
19 CSR 10 15.060	Office of the Director	45 MoReg 985	45 MoReg 1004		
19 CSR 15 7.021	Division of Senior and Disability Services			45 MoReg 842	
19 CSR 15 8.400	Division of Senior and Disability Services			45 MoReg 842	
19 CSR 15 9.200	Division of Senior and Disability Services		44 MoReg 3066R		45 MoReg 1032
19 CSR 20 2.020	Division of Community and Public Health		45 MoReg 830R		45 MoReg 842
19 CSR 20 3.040	Division of Community and Public Health		44 MoReg 3067R		
19 CSR 20 20.020	Division of Community and Public Health	44 MoReg 2081 45 MoReg 351T 45 MoReg 351	45 MoReg 374	45 MoReg 956	
19 CSR 20 20.050	Division of Community and Public Health	45 MoReg 577 45 MoReg 987T	45 MoReg 593	45 MoReg 1029W	
19 CSR 30 26.010	Division of Regulation and Licensure			45 MoReg 843	
19 CSR 30 35.010	Division of Regulation and Licensure		This Issue		45 MoReg 843
19 CSR 30 40.308	Division of Regulation and Licensure			45 MoReg 843	
19 CSR 30 40.309	Division of Regulation and Licensure			45 MoReg 843	
19 CSR 30 40.331	Division of Regulation and Licensure			45 MoReg 844	
19 CSR 30 40.333	Division of Regulation and Licensure			45 MoReg 844	
19 CSR 30 40.528	Division of Regulation and Licensure			45 MoReg 844	
19 CSR 30 70.620	Division of Regulation and Licensure	45 MoReg 578	45 MoReg 594	This Issue	
19 CSR 30 70.630	Division of Regulation and Licensure	45 MoReg 578	45 MoReg 594	This Issue	
19 CSR 30 82.010	Division of Regulation and Licensure			45 MoReg 845	
19 CSR 30 85.032	Division of Regulation and Licensure			45 MoReg 845	
19 CSR 30 85.042	Division of Regulation and Licensure			45 MoReg 845	
19 CSR 30 86.022	Division of Regulation and Licensure			45 MoReg 846	
19 CSR 30 86.032	Division of Regulation and Licensure			45 MoReg 847	
19 CSR 30 86.042	Division of Regulation and Licensure			45 MoReg 847	
19 CSR 30 86.043	Division of Regulation and Licensure			45 MoReg 847	
19 CSR 30 86.047	Division of Regulation and Licensure			45 MoReg 848	
19 CSR 30 90.040	Division of Regulation and Licensure			45 MoReg 848	
19 CSR 30 90.050	Division of Regulation and Licensure			45 MoReg 848	
19 CSR 30 90.070	Division of Regulation and Licensure			45 MoReg 849	
19 CSR 30 95.028	Division of Regulation and Licensure	45 MoReg 7	45 MoReg 41	45 MoReg 833	
19 CSR 30 95.110	Division of Regulation and Licensure		45 MoReg 1005		
19 CSR 40 4.010	Division of Maternal, Child and Family Health		44 MoReg 3067R		
19 CSR 40 7.010	Division of Maternal, Child and Family Health		45 MoReg 830R		
19 CSR 40 7.020	Division of Maternal, Child and Family Health		44 MoReg 3067R		
19 CSR 40 7.030	Division of Maternal, Child and Family Health		45 MoReg 831R		
19 CSR 60 50	Missouri Health Facilities Review Committee				45 MoReg 849 45 MoReg 1131
20 CSR	<b>DEPARTMENT OF COMMERCE AND INSURANCE</b>				
20 CSR	Construction Claims Binding Arbitration Cap				44 MoReg 3221
20 CSR	Sovereign Immunity Limits				44 MoReg 3221
20 CSR	State Legal Expense Fund Cap				44 MoReg 3221
20 CSR 400 5.600	Life, Annuities and Health		45 MoReg 374 45 MoReg 1068		
20 CSR 500 6.100	Property and Casualty		45 MoReg 376		
20 CSR 500 7.020	Property and Casualty		45 MoReg 376		
20 CSR 500 7.030	Property and Casualty		45 MoReg 377		
20 CSR 500 7.050	Property and Casualty		45 MoReg 377		
20 CSR 500 7.060	Property and Casualty		45 MoReg 379		
20 CSR 500 7.070	Property and Casualty		45 MoReg 379		
20 CSR 500 7.090	Property and Casualty		45 MoReg 380		
20 CSR 500 7.200	Property and Casualty		45 MoReg 381		
20 CSR 700 4.100	Insurance Licensing		45 MoReg 382 45 MoReg 1070		
20 CSR 700 8.005	Insurance Licensing		45 MoReg 383		
20 CSR 700 8.150	Insurance Licensing		45 MoReg 383		
20 CSR 2010 2.065	Missouri State Board of Accountancy		45 MoReg 532	45 MoReg 1127	
20 CSR 2010 2.075	Missouri State Board of Accountancy		45 MoReg 532	45 MoReg 1127	

**Rule Changes Since Update**August 17, 2020  
Vol. 45, No. 16

Rule Number	Agency	Emergency	Proposed	Order	In Addition
20 CSR 2010 2.160	Missouri State Board of Accountancy	45 MoReg 1059	45 MoReg 1071		
20 CSR 2010 4.020	Missouri State Board of Accountancy		45 MoReg 533	45 MoReg 1127	
20 CSR 2030 2.040	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		45 MoReg 208	45 MoReg 833	
20 CSR 2070 2.060	State Board of Chiropractic Examiners		45 MoReg 209R	45 MoReg 833R	
45 MoReg 209			45 MoReg 834		
20 CSR 2095 3.015	Committee for Professional Counselors		45 MoReg 425	45 MoReg 1075	
20 CSR 2110 1.010	Missouri Dental Board		45 MoReg 1117		
20 CSR 2110 2.020	Missouri Dental Board	45 MoReg 785			
20 CSR 2120 1.040	State Board of Embalmers and Funeral Directors		45 MoReg 533	45 MoReg 1127	
20 CSR 2120 2.020	State Board of Embalmers and Funeral Directors		This Issue		
20 CSR 2120 2.021	State Board of Embalmers and Funeral Directors		This Issue		
20 CSR 2120 2.030	State Board of Embalmers and Funeral Directors		45 MoReg 535R	45 MoReg 1127R	
20 CSR 2120 2.031	State Board of Embalmers and Funeral Directors		45 MoReg 535	45 MoReg 1128	
20 CSR 2120 2.071	State Board of Embalmers and Funeral Directors		45 MoReg 536	45 MoReg 1128	
20 CSR 2120 2.100	State Board of Embalmers and Funeral Directors		This Issue		
20 CSR 2120 2.200	State Board of Embalmers and Funeral Directors		45 MoReg 538	45 MoReg 1128	
20 CSR 2120 2.220	State Board of Embalmers and Funeral Directors		This Issue		
20 CSR 2120 3.010	State Board of Embalmers and Funeral Directors		45 MoReg 539R	45 MoReg 1128R	
45 MoReg 539			45 MoReg 1128		
20 CSR 2120 3.020	State Board of Embalmers and Funeral Directors		45 MoReg 543R	45 MoReg 1128R	
45 MoReg 543			45 MoReg 1129		
20 CSR 2120 3.105	State Board of Embalmers and Funeral Directors		This IssueR		
20 CSR 2120 3.105	State Board of Embalmers and Funeral Directors		This Issue		
20 CSR 2120 3.115	State Board of Embalmers and Funeral Directors		This IssueR		
20 CSR 2120 3.120	State Board of Embalmers and Funeral Directors		This IssueR		
20 CSR 2120 3.125	State Board of Embalmers and Funeral Directors		This IssueR		
20 CSR 2120 3.200	State Board of Embalmers and Funeral Directors		45 MoReg 547R	45 MoReg 1129R	
20 CSR 2120 3.300	State Board of Embalmers and Funeral Directors		45 MoReg 547R	45 MoReg 1129R	
20 CSR 2120 3.305	State Board of Embalmers and Funeral Directors		This IssueR		
20 CSR 2120 3.310	State Board of Embalmers and Funeral Directors		45 MoReg 547R	45 MoReg 1129R	
20 CSR 2120 3.515	State Board of Embalmers and Funeral Directors		45 MoReg 384R	45 MoReg 1075R	
20 CSR 2120 3.525	State Board of Embalmers and Funeral Directors		45 MoReg 547	45 MoReg 1129	
20 CSR 2120 3.530	State Board of Embalmers and Funeral Directors		45 MoReg 384	45 MoReg 1075	
20 CSR 2120 3.540	State Board of Embalmers and Funeral Directors		45 MoReg 385	45 MoReg 1075	
20 CSR 2120 3.550	State Board of Embalmers and Funeral Directors		45 MoReg 385	45 MoReg 1075	
20 CSR 2120 3.560	State Board of Embalmers and Funeral Directors		45 MoReg 386	45 MoReg 1075	
20 CSR 2150 2.068	State Board of Registration for the Healing Arts	45 MoReg 788			
20 CSR 2150 5.029	State Board of Registration for the Healing Arts		45 MoReg 548		
20 CSR 2220 2.710	State Board of Pharmacy	45 MoReg 1061	45 MoReg 425	45 MoReg 1076	
20 CSR 2220 2.725	State Board of Pharmacy	45 MoReg 1061	45 MoReg 426	45 MoReg 1077	
20 CSR 2220 3.011	State Board of Pharmacy				45 MoReg 849
20 CSR 2220 3.040	State Board of Pharmacy		45 MoReg 947		
20 CSR 2220 4.010	State Board of Pharmacy	45 MoReg 1107			
20 CSR 2220 6.040	State Board of Pharmacy				This Issue
20 CSR 2220 6.050	State Board of Pharmacy				This Issue
20 CSR 2220 6.055	State Board of Pharmacy	45 MoReg 1062	45 MoReg 426	45 MoReg 1078	
20 CSR 2220 6.200	State Board of Pharmacy		45 MoReg 549		
20 CSR 2220 7.025	State Board of Pharmacy		45 MoReg 210	45 MoReg 834	
20 CSR 2220 7.027	State Board of Pharmacy		45 MoReg 211	45 MoReg 834	
20 CSR 2220 7.080	State Board of Pharmacy				This Issue
20 CSR 2231 2.010	Division of Professional Registration				45 MoReg 850
20 CSR 2245 3.005	Real Estate Appraisers		45 MoReg 386	45 MoReg 956	
20 CSR 2245 4.020	Real Estate Appraisers				45 MoReg 850
20 CSR 2245 8.010	Real Estate Appraisers				45 MoReg 850
20 CSR 2250 3.010	Missouri Real Estate Commission				45 MoReg 850
20 CSR 2250 3.020	Missouri Real Estate Commission				45 MoReg 851
20 CSR 2250 4.020	Missouri Real Estate Commission				45 MoReg 851
20 CSR 2250 4.050	Missouri Real Estate Commission				45 MoReg 851
20 CSR 2250 4.070	Missouri Real Estate Commission				45 MoReg 852
20 CSR 2250 5.020	Missouri Real Estate Commission	45 MoReg 889	45 MoReg 113	45 MoReg 835W	
			45 MoReg 948		
20 CSR 2250 7.020	Missouri Real Estate Commission				45 MoReg 852
20 CSR 2250 7.080	Missouri Real Estate Commission				45 MoReg 852
20 CSR 2250 8.010	Missouri Real Estate Commission				45 MoReg 852
20 CSR 2250 10.100	Missouri Real Estate Commission				45 MoReg 853
20 CSR 2263 1.035	State Committee for Social Workers	45 MoReg 893	45 MoReg 951		
20 CSR 2263 2.032	State Committee for Social Workers		45 MoReg 1117		
20 CSR 4240 3.155	Public Service Commission		45 MoReg 1005R		
20 CSR 4240 20.060	Public Service Commission		45 MoReg 1006		
20 CSR 4240 20.065	Public Service Commission		45 MoReg 1015		
20 CSR 4240 40.020	Public Service Commission		45 MoReg 116	45 MoReg 835	
20 CSR 4240 40.030	Public Service Commission		45 MoReg 119	45 MoReg 835	
20 CSR 4240 40.033	Public Service Commission		45 MoReg 137	45 MoReg 836	
20 CSR 4240 40.080	Public Service Commission		45 MoReg 138	45 MoReg 836	

Agency	Publication	Effective	Expiration
<b>Office of Administration</b>			
<b>Commissioner of Administration</b>			
<b>1 CSR 10-3.010</b> Preapproval of Claims/Accounts and Direct Deposit:			
Definitions/Examples . . . . .	.45 MoReg 415 . . . . .	Feb. 27, 2020 . . . . .	Aug. 24, 2020
<b>1 CSR 10-3.020</b> Deduction of Amounts Owed by Employees to the State . . . . .	.45 MoReg 773 . . . . .	April 30, 2020 . . . . .	Oct. 30, 2020
<b>Personnel Advisory Board and Division of Personnel</b>			
<b>1 CSR 20-5.030</b> Borrowed Leave . . . . .	.45 MoReg 774 . . . . .	April 30, 2020 . . . . .	Oct. 30, 2020
<b>Department of Agriculture</b>			
<b>Animal Health</b>			
<b>2 CSR 30-2.005</b> Vesicular Stomatitis Restrictions on Domestic and exotic Ungulates (Hoofed Animals) Entering Missouri . . . . .	.45 MoReg 775 . . . . .	May 15, 2020 . . . . .	Nov. 10, 2020
<b>2 CSR 30-2.016</b> Rabbit Hemorrhagic Disease Import Restrictions on Rabbits and Hares Entering Missouri . . . . .	.45 MoReg 1107 . . . . .	July 16, 2020 . . . . .	Jan. 11, 2021
<b>2 CSR 30-10.010</b> Inspection of Meat and Poultry . . . . .	.45 MoReg 416 . . . . .	Feb. 27, 2020 . . . . .	Aug. 24, 2020
<b>Department of Elementary and Secondary Education</b>			
<b>Division of Financial and Administrative Services</b>			
<b>5 CSR 30-4.050</b> Local School District Application for Exemption Under the School Start Date Law . . . . .	.45 MoReg 879 . . . . .	May 27, 2020 . . . . .	Aug. 24, 2020
<b>5 CSR 30-660.085</b> Attendance Hour Reporting . . . . .	This Issue . . . . .	Aug. 1, 2020 . . . . .	Feb. 25, 2021
<b>Department of Labor and Industrial Relations</b>			
<b>Division of Workers' Compensation</b>			
<b>8 CSR 50-5.005</b> Presumption of Occupational Disease for First Responders .45 MoReg 713 . . . . .	April 22, 2020 . . . . .	Feb. 1, 2021	
<b>Department of Natural Resources</b>			
<b>Hazardous Waste Management Commission</b>			
<b>10 CSR 25-12.010</b> Fees and Taxes . . . . .	.45 MoReg 527 . . . . .	March 27, 2020 . . . . .	Sept. 22, 2020
<b>Department of Public Safety</b>			
<b>Missouri 911 Service Board</b>			
<b>11 CSR 90-1.010</b> Overview . . . . .	.45 MoReg 879 . . . . .	May 21, 2020 . . . . .	Feb. 25, 2021
<b>11 CSR 90-1.020</b> Organization and Administration . . . . .	.45 MoReg 880 . . . . .	May 21, 2020 . . . . .	Feb. 25, 2021
<b>11 CSR 90-1.030</b> Code of Ethics . . . . .	.45 MoReg 880 . . . . .	May 21, 2020 . . . . .	Feb. 25, 2021
<b>11 CSR 90-1.040</b> Board Meetings . . . . .	.45 MoReg 881 . . . . .	May 21, 2020 . . . . .	Feb. 25, 2021
<b>11 CSR 90-1.050</b> Addressing Board . . . . .	.45 MoReg 882 . . . . .	May 21, 2020 . . . . .	Feb. 25, 2021
<b>11 CSR 90-2.010</b> Definitions . . . . .	.45 MoReg 882 . . . . .	May 21, 2020 . . . . .	Feb. 25, 2021
<b>11 CSR 90-2.020</b> Application Requirements and Submission Procedure . . . . .	.45 MoReg 883 . . . . .	May 21, 2020 . . . . .	Feb. 25, 2021
<b>11 CSR 90-2.030</b> Application Review and Decision . . . . .	.45 MoReg 885 . . . . .	May 21, 2020 . . . . .	Feb. 25, 2021
<b>11 CSR 90-2.040</b> Project Administration . . . . .	.45 MoReg 886 . . . . .	May 21, 2020 . . . . .	Feb. 25, 2021
<b>11 CSR 90-2.050</b> Protests . . . . .	.45 MoReg 887 . . . . .	May 21, 2020 . . . . .	Feb. 25, 2021
<b>11 CSR 90-3.010</b> Funding Rates . . . . .	.45 MoReg 888 . . . . .	May 21, 2020 . . . . .	Feb. 25, 2021
<b>Department of Social Services</b>			
<b>Children's Division</b>			
<b>13 CSR 35-31.060</b> Child Abuse and Neglect Review Board Administrative Appeals by Teleconference . . . . .	.45 MoReg 985 . . . . .	June 12, 2020 . . . . .	Feb. 25, 2021
<b>13 CSR 35-60.120</b> Criminal Background Check Screening due to Coronavirus Related Closures . . . . .	.45 MoReg 888 . . . . .	May 21, 2020 . . . . .	Feb. 25, 2021
<b>Family Support Division</b>			
<b>13 CSR 40-2.160</b> State Hearing Procedures . . . . .	.45 MoReg 775 . . . . .	April 30, 2020 . . . . .	Feb. 9, 2021
<b>MO HealthNet Division</b>			
<b>13 CSR 70-15.015</b> Direct Medicaid Payments . . . . .	.45 MoReg 778 . . . . .	May 15, 2020 . . . . .	Feb. 24, 2021
<b>Department of Health and Senior Services</b>			
<b>Office of the Director</b>			
<b>19 CSR 10-15.060</b> Prohibition on Expenditure of Funds . . . . .	.45 MoReg 985 . . . . .	June 8, 2020 . . . . .	Feb. 25, 2021
<b>Division of Community and Public Health</b>			
<b>19 CSR 20-20.020</b> Reporting Infectious, Contagious, Communicable, or Dangerous Diseases . . . . .	.45 MoReg 351 . . . . .	Feb. 10, 2020 . . . . .	Aug. 7, 2020
<b>19 CSR 20-20.050</b> Quarantine or Isolation Practices and Closing of Schools and Places of Public and Private Assembly . . . . .	.45 MoReg 577 . . . . .	April 3, 2020 . . . . .	Term May 20, 2020
<b>Division of Regulation and Licensure</b>			
<b>19 CSR 30-70.620</b> Work Practice Standards for a Lead Risk Assessment . . . . .	.45 MoReg 578 . . . . .	April 10, 2020 . . . . .	Oct. 6, 2020
<b>19 CSR 30-70.630</b> Lead Abatement Work Practice Standards . . . . .	.45 MoReg 578 . . . . .	April 10, 2020 . . . . .	Oct. 6, 2020

<b>Agency</b>	<b>Publication</b>	<b>Effective</b>	<b>Expiration</b>
<b>Department of Commerce and Insurance</b>			
<b>Missouri State Board of Accountancy</b>			
20 CSR 2010-2.160 Fees	45 MoReg 1059	June 24, 2020	Feb. 25, 2021
<b>Missouri Dental Board</b>			
20 CSR 2110-2.020 Limited Temporary Dental License	45 MoReg 785	May 7, 2020	Feb. 16, 2021
20 CSR 2110-2.170 Fees	Next Issue	Aug. 12, 2020	Feb. 25, 2021
<b>State Board of Registration for the Healing Arts</b>			
20 CSR 2150-2.068 Graduate Medical Student Temporary License	45 MoReg 788	May 15, 2020	Nov. 10, 2020
<b>State Board of Pharmacy</b>			
20 CSR 2220-2.710 Pharmacy Technician and Intern Pharmacist Supervision	45 MoReg 1061	June 19, 2020	Sept. 1, 2020
20 CSR 2220-2.725 Remote Data Entry	45 MoReg 1061	June 19, 2020	Sept. 1, 2020
20 CSR 2220-4.010 General Fees	45 MoReg 1107	July 16, 2020	Jan. 11, 2021
20 CSR 2220-6.055 Non Dispensing Activities	45 MoReg 1062	June 19, 2020	Sept. 1, 2020
<b>Missouri Real Estate Commission</b>			
20 CSR 2250-5.020 Application and License Fee	45 MoReg 889	May 27, 2020	Feb. 25, 2021
<b>State Committee for Social Workers</b>			
20 CSR 2263-1.035 Fees	45 MoReg 893	May 29, 2020	Feb. 25, 2021

Executive Orders	Subject Matter	Filed Date	Publication
<u>2020</u>			
20-13	Extends Executive Order 18 12 regarding the 2020 Census until November 30, 2020	July 31, 2020	Next Issue
<b>Proclamation</b>	Convenes the one hundredth general assembly of the State of Missouri in the First Extra Session of the Second Regular Session	July 15, 2020	This Issue
20-12	Extends the State of Emergency, activation of the State Emergency Operations Plan and activation of the state militia. Gov. Michael Parson also extends, in part, the provisions of Executive Order 20 04. Gov. Parson also extends, in whole, Executive Orders 20 05, 20 06, and 20 08	June 11, 2020	45 MoReg 1064
20-11	Declares a State of Emergency and activates the state militia due to civil unrest in Missouri	May 30, 2020	45 MoReg 990
<b>Proclamation</b>	Calls for a special election on August 4th of 2020	May 26, 2020	45 MoReg 988
20-10	Extends Executive Orders 20 04, 20 05, 20 06, and 20 08 until June 15, 2020	May 4, 2020	45 MoReg 895
20-09	Extends the State of Emergency declared in Executive Order 20 02 until June 15, 2020 and directs the Missouri State Emergency Operations Plan to remain activated	April 24, 2020	45 MoReg 789
20-08	Suspends the requirement of personal appearance before a notary public by authorizing the use of audio video technology	April 6, 2020	45 MoReg 718
20-07	Waives late penalties for concealed carry permits for 60 days	April 2, 2020	45 MoReg 716
20-06	Activates the state militia in response to the COVID 19 pandemic	March 27, 2020	45 MoReg 587
20-05	Suspends the prohibition of the sale of unprepared food by restaurants to the public during the current state of emergency	March 23, 2020	45 MoReg 585
20-04	Suspends certain agency regulations to allow them to address the current state of emergency	March 18, 2020	45 MoReg 583
20-03	Postpones the General Municipal Election scheduled for April 7, 2020 until June 2, 2020	March 18, 2020	45 MoReg 580
20-02	Declares a State of Emergency and directs the Missouri State Emergency Operations Plan be activated	March 13, 2020	45 MoReg 529
20-01	Designates supervisory authority over select departments, divisions, or agencies of government	Feb. 03, 2020	45 MoReg 352
<u>2019</u>			
19-21	Closes state offices December 24, 2019 at 1 pm	Dec. 16, 2019	45 MoReg 101
19-20	Creates the Office of Apprenticeship and Work Based Learning (OAWBL) and makes it a distinct office within the Missouri Department of Higher Education and Workforce Development	Nov. 12, 2019	44 MoReg 3181
19-19	Closes state offices November 29, 2019	Nov. 4, 2019	44 MoReg 2816
<b>Proclamation</b>	Governor reduces line items in the budget	Oct. 28, 2019	44 MoReg 2959
19-18	Orders the Department of Health and Senior Services, Department of Elementary and Secondary Education, and the Department of Public Safety to develop a statewide campaign to deter the use of vaping devices by Missouri youths	Oct. 15, 2019	44 MoReg 2815
19-17	Rescinds Executive Order 81 24	Sept. 20, 2019	44 MoReg 2664
19-16	Orders the commencement of the Missouri as a Model Employer Initiative, with directives for the State of Missouri employing people with disabilities	Sept. 9, 2019	44 MoReg 2576
19-15	Declares the Department of Higher Education be henceforth called Department of Higher Education and Workforce Development	Aug. 28, 2019	44 MoReg 2438
<b>Proclamation</b>	Calls for a Special Session of the One Hundredth General Assembly	Aug. 21, 2019	44 MoReg 2436
19-14	Establishes the Flood Recovery Advisory Working Group	July 18, 2019	44 MoReg 2281
19-13	Establishes the Missouri Health Insurance Innovation Task Force	July 17, 2019	44 MoReg 2278
19-12	Closes state offices July 5, 2019	July 3, 2019	44 MoReg 2239
19-11	Establishes the Missouri Food, Beverage, and Forest Products Manufacturing Task Force	June 28, 2019	44 MoReg 2085
19-10	Extends Executive Order 19 06 State of Emergency	June 13, 2019	44 MoReg 1993
19-09	Calls and orders into active service, portions of the organized militia as necessary to aid executive officials in protecting life and property	May 27, 2019	44 MoReg 1830
19-08	Declares a State of Emergency	May 21, 2019	44 MoReg 1828
<b>Writ of Electon</b>	Fills vacancy in the One Hundredth General Assembly from the 158th district	April 23, 2019	44 MoReg 1499
<b>Writ of Electon</b>	Fills vacancy in the One Hundredth General Assembly from the 99th district	April 23, 2019	44 MoReg 1497

**Executive  
Orders**

	<b>Subject Matter</b>	<b>Filed Date</b>	<b>Publication</b>
<b>19-07</b>	Extends Executive Order 19 06 State of Emergency	April 30, 2019	44 MoReg 1501
<b>19-06</b>	Gives the Department of Natural Resources discretionary authority to waive or suspend operation to best serve the interests of the public health and safety during the State of Emergency	March 29, 2019	44 MoReg 1246
<b>19-05</b>	Declares a State of Emergency	March 21, 2019	44 MoReg 1244
<b>19-04</b>	Establishes the Missouri School Safety Task Force	March 13, 2019	44 MoReg 1131
<b>Proclamation</b>	Governor reduces line items in the budget	Jan. 28, 2019	44 MoReg 771
<b>19-03</b>	Transfers the Division of Workforce Development to the Department of Higher Education	Jan. 17, 2019	44 MoReg 767
<b>19-02</b>	Transfers the Office of Public Counsel and Public Service Commission to the Department of Insurance, Financial Institutions and Professional Registration	Jan. 17, 2019	44 MoReg 765
<b>19-01</b>	Transfers the Division of Energy to the Department of Natural Resources	Jan. 17, 2019	44 MoReg 763

The rule number and the MoReg publication date follow each entry to this index.

**ACCOUNTANCY, MISSOURI STATE BOARD OF**  
fees; 20 CSR 2010 2.160; 7/15/20  
qualifying programs; 20 CSR 2010 4.020; 4/15/20, 8/3/20  
reinstatement of license to practice; 20 CSR 2010 2.075; 4/15/20,  
8/3/20  
requirements for licensure through reciprocity; 20 CSR 2010 2.065;  
4/15/20, 8/3/20

**ADMINISTRATION, OFFICE OF**  
borrowed leave; 1 CSR 20 5.030; 6/1/20  
deduction of amounts owed by employees to the state; 1 CSR 10  
3.020; 6/1/20  
periodic rule review; 1 CSR 7/1/20  
preapproval of claims/accounts and direct deposit: definitions/exam  
ples; 1 CSR 10 3.010; 3/16/20, 7/15/20  
state official's salary compensation schedule; 1 CSR 10; 11/15/19

**AGRICULTURE, DEPARTMENT OF**  
animal health  
animal care facilities definitions; 2 CSR 30 9.010; 1/2/20,  
6/1/20  
animal care facilities minimum standards of operation and  
transportation; 2 CSR 30 9.030; 1/2/20, 6/1/20  
animal care facility rules governing licensing, fees, reports,  
record keeping, veterinary care, identification, and hold  
ing period; 2 CSR 30 9.020; 1/2/20, 6/1/20  
health requirements governing the admission of livestock,  
poultry, and exotic animals entering Missouri; 2 CSR 30  
2.010; 3/16/20, 7/15/20  
inspection of meat and poultry; 2 CSR 30 10.010; 3/16/20,  
7/15/20  
rabbit hemorrhagic disease import restrictions on rabbits and  
hares entering Missouri; 2 CSR 30 2.016; 8/3/20  
vesicular stomatitis restrictions on domestic and exotic ungu  
lates (hoofed animals) entering Missouri; 2 CSR 30  
2.005; 6/1/20

periodic rule review; 2 CSR 7/1/20  
plant industries  
agriculture hemp seed requirements; 2 CSR 70 17.130;  
2/3/20, 5/15/20  
definitions; 2 CSR 70 17.010; 2/3/20, 5/15/20  
general provisions for registered producers and agricultural  
hemp propagule and seed permit holders; 2 CSR 70  
17.050; 2/3/20, 5/15/20  
industrial hemp pilot program grower and handler registration  
agreement; 2 CSR 70 17.040; 2/3/20, 5/15/20  
industrial hemp plant monitoring system requirements; 2 CSR  
70 17.110; 2/3/20, 5/15/20  
industrial hemp program fees; 2 CSR 70 17.070; 2/3/20,  
5/15/20  
inspection of site, crop, and sampling requirements for  
laboratory analysis (responsibilities of registered grower  
and handler); 2 CSR 70 17.090; 2/3/20, 5/15/20  
modification of grower and handler applications and fees; 2  
CSR 70 17.060; 2/3/20, 5/15/20  
registration and permit application requirements; 2 CSR 70  
17.020; 2/3/20, 5/15/20  
revocation of registration or permit; 2 CSR 70 17.120;  
2/3/20, 5/15/20  
sampling requirements and results of analysis; 2 CSR 70  
17.100; 2/3/20, 5/15/20  
site access for Missouri Department of Agriculture (MDA)  
and law enforcement inspection; 2 CSR 70 17.080;  
2/3/20, 5/15/20  
state and federal fingerprint criminal history background  
check requirements; 2 CSR 70 17.030; 11/1/19, 2/3/20;  
4/1/20, 5/15/20

state milk board  
inspection fees; 2 CSR 80 5.010; 3/16/20, 8/6/20  
weights, measures and consumer protection  
Missouri propane safety commission; 2 CSR 90; 8/17/20  
NFPA manual no. 54, *National Fuel Gas Code*; 2 CSR 90  
10.020; 3/16/20, 7/1/20

NFPA manual no. 58, *Storage and Handling of Liquefied  
Petroleum Gases*; 2 CSR 90 10.040; 3/16/20, 7/1/20

**AIR CONSERVATION COMMISSION**  
acid rain source permits required; 10 CSR 10 6.270; 1/2/20, 8/3/20  
asbestos project registration, abatement, notification, inspection,  
demolition, and performance requirements; 10 CSR 10 6.241;  
11/15/19, 6/15/20  
construction permit exemptions; 10 CSR 10 6.061; 1/2/20, 8/3/20  
control of emissions from batch process operations;  
10 CSR 10 5.540; 12/2/19, 6/15/20  
control of emissions from the manufacturing of paints, varnishes,  
lacquers, enamels and other allied surface coating products; 10  
CSR 10 5.390; 1/2/20, 8/3/20  
control of emissions from volatile organic liquid storage; 10 CSR  
10 5.500; 11/15/19, 6/15/20  
control of gasoline reid vapor pressure; 10 CSR 10 2.330; 2/18/20,  
6/15/20, 8/3/20  
emission standards for hazardous air pollutants; 10 CSR 10 6.080;  
1/2/20, 8/3/20  
maximum achievable control technology regulations; 10 CSR 10  
6.075; 1/2/20, 8/3/20  
new source performance regulations; 10 CSR 10 6.070; 1/2/20,  
8/3/20  
reporting emission data, emission fees, and process information; 10  
CSR 10 6.110; 8/17/20  
restriction of particulate matter emissions from fuel burning equip  
ment used for indirect heating; 10 CSR 10 6.405; 1/2/20,  
8/3/20

**ARCHITECTS, PROFESSIONAL ENGINEERS, PROFES  
SIONAL LAND SURVEYORS, AND PROFESSIONAL LAND  
SCAPE ARCHITECTS, MISSOURI BOARD FOR**  
evaluation criteria for building design; 20 CSR 2030 2.040; 2/3/20,  
6/1/20

**CHILDREN'S DIVISION**  
capacity of foster homes; 13 CSR 35 60.020; 8/3/20  
child abuse and neglect review board administrative appeals by tele  
conference; 13 CSR 35 31.060; 7/1/20  
criminal background check screening due to Coronavirus related  
closures; 13 CSR 35 60.120; 6/15/20  
licensing standard waivers for relative resource providers; 13 CSR  
35 60.080; 8/3/20  
physical and environmental standards; 13 CRS 35 60.040; 8/3/20

**CHIROPRACTIC EXAMINERS, STATE BOARD OF**  
professional conduct rules; 20 CSR 2070 2.060; 2/3/20, 6/1/20

**CLEAN WATER COMMISSION**  
certification of concentrated animal feeding operation waste man  
agement system operators; 10 CSR 20 14.020; 6/1/20  
certification of wastewater operators; 10 CSR 20 9.030; 6/1/20  
concentrated animal feeding operations; 10 CSR 20 6.300; 6/1/20

**CONSERVATION, DEPARTMENT OF**  
bullfrogs and green frogs; 3 CSR 10 12.115; 4/1/20, 7/1/20  
closing; 3 CSR 10 11.115; 4/1/20, 7/1/20  
commercial establishments; 3 CSR 10 10.743; 4/1/20, 7/1/20  
commercial fishing; seasons, methods; 3 CSR 10 10.725; 4/1/20,  
7/1/20  
deer: antlerless deer hunting permit availability; 3 CSR 10 7.437;  
7/1/20  
deer: firearms hunting season; 3 CSR 10 7.433; 7/1/20  
deer: landowner privileges; 3 CSR 10 7.434; 7/1/20  
deer management assistance program; 3 CSR 10 7.600; 7/1/20  
deer: special harvest provisions; 3 CSR 10 7.435; 7/1/20  
definitions; 3 CSR 10 20.805; 4/1/20, 7/1/20  
endangered species; 3 CSR 10 4.111; 4/1/20, 7/1/20  
fish utilization permit; 3 CSR 10 10.739; 4/1/20, 7/1/20  
fishing, methods; 3 CSR 10 12.135; 4/1/20, 7/1/20  
fishing, methods and hours; 3 CSR 10 11.205; 4/1/20, 7/1/20  
furbearers: trapping seasons; 3 CSR 10 8.515; 4/1/20, 7/1/20

general provisions;  
 3 CSR 10 6.405; 4/1/20, 7/1/20  
 3 CSR 10 7.405; 7/1/20  
 3 CSR 10 11.110; 4/1/20, 7/1/20  
 bound running area; privileges, requirements; 3 CSR 10 9.575;  
 4/1/20, 7/1/20  
 hunting and trapping; 3 CSR 10 12.125; 4/1/20, 7/1/20  
 hunting, general provisions and seasons; 3 CSR 10 11.180; 4/1/20,  
 7/1/20  
 hunting method; 3 CSR 10 7.410; 7/1/20  
 licensed hunting preserve; privileges; 3 CSR 10 9.565; 5/15/20,  
 8/17/20  
 live bait; 3 CSR 10 6.605; 4/1/20, 7/1/20  
 other fish; 3 CSR 10 6.550; 4/1/20, 7/1/20  
 periodic rule review; 3 CSR 7/1/20  
 privileges of class I and class II wildlife breeders; 3 CSR 10  
 9.353; 5/15/20, 8/17/20  
 quail hunting; 3 CSR 10 11.184; 4/1/20, 7/1/20  
 reciprocal privileges; commercial fishing; commercial waters; 3  
 CSR 10 10.726; 4/1/20, 7/1/20  
 resident commercial live coyote and fox trapping permit; 3 CSR 10  
 10.788; 4/1/20, 7/1/20  
 resident commercial live coyote and fox trapping privileges, sea  
 sons, methods, requirements; 3 CSR 10 10.789; 4/1/20,  
 7/1/20  
 restricted zones; 3 CSR 10 6.415; 4/1/20, 7/1/20  
 taking feral swine; 3 CSR 10 11.220; 4/1/20, 7/1/20  
 trapping; 3 CSR 10 8.505; 4/1/20, 7/1/20  
 tree stands; 3 CSR 10 11.145; 4/1/20, 7/1/20  
 trout; 3 CSR 10 6.535; 4/1/20, 7/1/20  
 turkey hunting; 3 CSR 10 11.181; 4/1/20, 7/1/20  
 use of boats and motors;  
 3 CSR 10 11.160; 4/1/20, 7/1/20  
 3 CSR 10 12.110; 4/1/20, 7/1/20

#### **DENTAL BOARD, MISSOURI**

general organization; 20 CSR 2110 1.010; 8/3/20  
 limited temporary dental license; 20 CSR 2110 2.020; 6/1/20

#### **DEVELOPMENTAL DISABILITIES, DIVISION OF**

certification of medication aides serving persons with developmen-  
 tal disabilities; 9 CSR 45 3.070; 6/1/20  
 eligibility for services from the division of developmental disabili-  
 ties; 9 CSR 45 2.010; 6/1/20  
 self directed supports; 9 CSR 45 3.080; 6/1/20  
 utilization review process; 9 CSR 45 2.017; 6/1/20

#### **ECONOMIC DEVELOPMENT, DEPARTMENT OF**

eligibility requirements (moved from 6 CSR 300-1.010); 4 CSR 195  
 6.020; 8/3/20  
 general organization (moved from 6 CSR 300-1.010); 4 CSR 195 1.010;  
 8/3/20  
 invoicing, monitoring, and reporting (moved from 6 CSR 300-1.010); 4  
 CSR 195 6.050; 8/3/20  
 periodic rule review; 4 CSR 7/1/20  
 purpose; definitions (moved from 6 CSR 300-1.010); 4 CSR 195 6.010;  
 8/3/20  
 training agreements (moved from 6 CSR 300-1.010); 4 CSR 195 6.030;  
 8/3/20  
 training plans (moved from 6 CSR 300-1.010); 4 CSR 195 6.040; 8/3/20

#### **ELEMENTARY AND SECONDARY EDUCATION, DEPARTMENT OF**

deaf and hard of hearing, Missouri commission for the  
 fees; 5 CSR 100 200.150; 3/2/20, 6/15/20  
 intern/practicum certification; 5 CSR 100 200.085; 3/2/20,  
 6/15/20  
division of financial and administrative services  
 attendance hour reporting; 5 CSR 30 660.085; 8/17/20  
 local school district application for exemption under the  
 school start date law; 5 CSR 30 4.050; 6/15/20  
 pupil transportation in vehicles other than school buses; 5  
 CSR 30 261.045; 5/1/20  
division of learning services  
 application for a career education certificate of license to  
 teach; 5 CSR 20 400.190; 7/1/20

application for an adult education and literacy certificate of  
 license to teach; 5 CSR 20 400.200; 7/1/20  
 application for a student services certificate of license to  
 teach; 5 CSR 20 400.170; 7/1/20  
 application for certificate of license to teach for administra-  
 tors; 5 CSR 20 400.160; 7/1/20  
 basic education competencies required prior to admission to  
 approved teacher education programs in Missouri; 5 CSR  
 20 400.310; 5/1/20  
 certification requirements for career education (secondary) 7  
 12 certificates; 5 CSR 20 400.660; 4/1/20  
 clinical experience requirements for candidates in professional  
 education programs; 5 CSR 20 400.330; 2/18/20, 8/3/20  
 individuals with disabilities education act, Part B; 5 CSR 20  
 300.110; 6/15/20  
 innovative and alternative professional education programs; 5  
 CSR 20 400.320; 5/1/20  
 procedures and standards for approval and accreditation of  
 professional education programs in Missouri; 5 CSR 20  
 400.440; 5/1/20  
 procedures and standards for approval of professional educa-  
 tion programs in Missouri; 5 CSR 20 400.300; 5/1/20  
 virtual instruction program; 5 CSR 20 100.230; 7/15/20  
education, commissioner of  
 eligibility for scholarships; 5 CSR 10 2.030; 5/1/20  
 scholarship granting organizations; 5 CSR 10 2.010; 5/1/20  
 scholarships; 5 CSR 10 2.020; 5/1/20  
 periodic rule review; 5 CSR 7/1/20

#### **EMBALMERS AND FUNERAL DIRECTORS, STATE BOARD OF**

biennial license renewal; 20 CSR 2120 2.020; 8/17/20  
 cemetery exception; 20 CSR 2120 3.560; 3/2/20, 7/15/20  
 change in seller affiliation; 20 CSR 2120 3.310; 4/15/20, 8/3/20  
 confidentiality of preneed records obtained by the board through  
 financial examination, audit, or investigation; 20 CSR 2120  
 3.530; 3/2/20, 7/15/20  
 contact information; 20 CSR 2120 3.115; 8/17/20  
 corporate ownership of a licensee; 20 CSR 2120 3.125; 8/17/20  
 definitions; 20 CSR 2120 1.040; 4/15/20, 8/3/20  
 death certificate filings; 20 CSR 2120 2.031; 4/15/20, 8/3/20  
 display of license; 20 CSR 2120 3.120; 8/17/20  
 fees; 20 CSR 2120 2.100; 8/17/20  
 filing of annual reports; 20 CSR 2120 3.105; 8/17/20  
 filing of annual reports and license renewal; 20 CSR 2120 3.105;  
 8/17/20  
 financial examination audit process and procedures; 20 CSR 2120  
 3.540; 3/2/20, 7/15/20  
 funeral director agent registration; 20 CSR 2120 3.305; 8/17/20  
 funeral establishment containing a crematory area; 20 CSR 2120  
 2.071; 4/15/20, 8/3/20  
 inactive license; 20 CSR 2120 2.021; 8/17/20  
 independent financial advisor is agent of trustee and authorized  
 external investment advisor; 20 CSR 2120 3.525; 4/15/20,  
 8/3/20  
 military training to meet requirements for licensure; 20 CSR 2120  
 2.200; 4/15/20, 8/3/20  
 preneed provider registration; 20 CSR 2120 3.020; 4/15/20, 8/3/20  
 preneed providers; 20 CSR 2120 3.020; 4/15/20, 8/3/20  
 preneed seller registration; 20 CSR 2120 3.010; 4/15/20, 8/3/20  
 preneed sellers; 20 CSR 2120 3.010; 4/15/20, 8/3/20  
 provider includes funeral establishment; 20 CSR 2120 3.300;  
 4/15/20, 8/3/20  
 registration of licensees with local registrars of vital statistics;  
 20 CSR 2120 2.030; 4/15/20, 8/3/20  
 renewal of licenses for military members; 20 CSR 2120 2.220;  
 8/17/20  
 seller fees and charges on preneed contracts; 20 CSR 2120 3.550;  
 3/2/20, 7/15/20  
 seller obligation; 20 CSR 2120 3.200; 4/15/20, 8/3/20  
 single premium annuity contracts; 20 CSR 2120 3.515; 3/2/20,  
 7/15/20

**ENERGY, DIVISION OF**

energy set aside fund; 10 CSR 140 2; 8/3/20

**EXECUTIVE ORDERS**

convenes the one hundredth general assembly of the State of Missouri in the first extra session of the second regular session; Proclamation; 8/17/20  
declares a State of Emergency and activates the state militia due to civil unrest in Missouri; 20 IL; 7/1/20  
extends executive order 20 02 til June 15, 2020; 20 09; 6/1/20  
extends Executive Orders 20 04, 20 05, 20 06, and 20 08 until June 15, 2020; 20 10; 6/15/20  
extends the State of Emergency, activation of the State Emergency Operations Plan and activation of the state militia. Gov. Michael Parson also extends, in part, the provisions of Executive Order 20 04. Gov. Parson also extends, in whole, Executive Orders 20 05, 20 06, and 20 08; 20 12; 7/15/20

**FAMILY SUPPORT DIVISION**

definitions relating to institutions; 13 CSR 40 2.080; 3/16/20, 7/15/20  
establishing or modifying to include medical support obligations; 13 CSR 40 112.010; 3/16/20, 7/15/20  
reimbursable expenditures; 13 CRS 40 [3.010]108.010; 7/1/20  
state emergency assistance program; 13 CSR 40 2.210; 6/15/20  
state hearing procedures; 13 CSR 40 2.160; 6/1/20

**HAZARDOUS WASTE MANAGEMENT COMMISSION**  
fees and taxes; 10 CSR 25 12.010; 4/15/20, 7/1/20

**HEALING ARTS, STATE BOARD OF REGISTRATION FOR THE**  
graduate medical student temporary license; 20 CSR 2150 2.068; 6/1/20  
pharmacist authority to prescribe pursuant to section 338.665; 20 CSR 2150 5.029; 4/15/20

**HEALTH AND SENIOR SERVICES, DEPARTMENT OF**  
community and public health, division of  
environmental health standards for the control of communicable diseases; 19 CSR 20 3.040; 12/2/19, 6/1/20  
inspection of the manufacture and sale of cosmetics; 19 CSR 20 2.020; 12/2/19, 6/1/20  
quarantine or isolation practices and closing of schools and places of public and private assembly; 19 CSR 20 20.050; 5/1/20, 7/1/20  
reporting infectious, contagious, communicable, or dangerous diseases; 19 CSR 20 20.020; 3/2/20, 6/15/20  
maternal, child and family health, division of  
basis for provision of EPSDT; 19 CSR 40 4.010; 12/2/19, 6/1/20  
client responsibilities; 19 CSR 40 7.030; 12/2/19, 6/1/20  
definitions; 19 CSR 40 7.010; 12/2/19, 6/1/20  
program eligibility; 19 CSR 40 7.020; 12/2/19, 6/1/20  
office of the director  
complication report for post abortion care; 19 CSR 10 15.020; 4/1/20, 8/3/20  
J 1 visa waiver program; 19 CSR 10 4.020; 5/1/20, 8/17/20  
prohibition on expenditure of funds; 19 CSR 10 15.060; 7/1/20

regulation and licensure, division of  
additional licensing procedures; 19 CSR 30 95.028; 1/2/20, 6/1/20  
administration and resident care requirements for new and existing intermediate care and skilled nursing facilities; 19 CSR 30 85.042; 6/1/20  
administrative, personnel, and resident care requirements for assisted living facilities; 19 CSR 30 86.047; 6/1/20  
administrative, personnel and resident care requirements for facilities licensed as a residential care facility II on

August 27, 2006 that will comply with residential care facility II standards; 19 CSR 30 86.043; 6/1/20  
administrative, personnel and resident care requirements for new and existing residential care facilities; 19 CSR 30 86.042; 6/1/20  
application and accreditation or certification requirements for training entities that conduct training for first responders, emergency medical dispatchers, emergency medical technicians basic, emergency medical technicians intermediate, and emergency medical technicians paramedic; 19 CSR 30 40.331; 6/1/20  
application and licensure requirements for the licensure and relicensure of emergency medical response agencies that provide advance life support; 19 CSR 30 40.333; 6/1/20  
application and licensure requirements standards for the licensure and relicensure of air ambulance services; 19 CSR 30 40.308; 6/1/20  
application and licensure requirements standards for the licensure and relicensure of ground ambulance services; 19 CSR 30 40.309; 6/1/20  
application and licensure requirements; standards for the licensure and relicensure of stretcher van services; 19 CSR 30 40.528; 6/1/20  
diversion; 19 CSR 30 20.092; 5/1/20  
fire safety and emergency preparedness standards for residential care facilities and assisted living facilities; 19 CSR 30 86.022; 6/1/20  
fire safety and facility physical requirements; 19 CSR 30 90.070; 6/1/20  
general licensure requirements; 19 CSR 30 82.010; 6/1/20  
home health licensure rule; 19 CSR 30 26.010; 6/1/20  
hospice program operations; 19 CSR 30 35.010; 6/1/20, 8/17/20  
lead abatement work practice standards; 19 CSR 30 70.630, 5/1/20, 8/17/20  
physical plant requirements for new and existing intermediate care and skilled nursing facilities; 19 CSR 30 85.032; 6/1/20  
physical plant requirements for residential care facilities and assisted living facilities; 19 CSR 30 86.032; 6/1/20  
physicians; 19 CSR 30 95.110; 7/1/20  
program policies and participant care requirements and rights; 19 CSR 30 90.050; 6/1/20  
staffing requirements; 19 CSR 30 90.040; 6/1/20  
work practice standards for a lead risk assessment 19 CSR 30 70.620, 5/1/20, 8/17/20  
senior and disability services, division of  
electronic visit verification; 19 CSR 15 9.200; 6/1/20  
in home service standards; 19 CSR 15 7.021; 6/1/20  
vendors; 19 CSR 15 8.400, 6/1/20, 7/1/20

**HIGHER EDUCATION AND WORKFORCE DEVELOPMENT, DEPARTMENT OF**  
eligibility requirements; 6 CSR 300 6.020; 8/3/20  
general organization; 6 CSR 300 1.010; 8/3/20, 8/17/20  
invoicing, monitoring, and reporting; 6 CSR 300 6.050; 8/3/20  
periodic rule review; 6 CSR 7/1/20  
purpose; definitions; 6 CSR 300 6.010; 8/3/20, 8/17/20  
training agreements; 6 CSR 300 6.030; 8/3/20  
training plans; 6 CSR 300 6.040; 8/3/20

**INSURANCE**  
applied behavior analysis maximum benefit; 20 CSR; 3/1/19  
construction claims binding arbitration cap; 20 CSR; 12/16/19  
non economic damages in medical malpractice cap; 20 CSR; 6/15/18  
sovereign immunity limits; 20 CSR; 12/16/19  
state legal expense fund; 20 CSR; 12/16/19  
insurance licensing  
scope and definitions; 20 CSR 700 8.005; 3/2/20  
title agent and qualified principal examination requirements; 20 CSR 700 8.150; 3/2/20  
utilization review; 20 CSR 700 4.100; 3/2/20, 7/15/20

**life, annuities and health**

Missouri life and health insurance guaranty association; 20 CSR 400 5.600; 3/2/20, 7/15/20

**property and casualty**

affiliated business arrangements; 20 CSR 500 7.070; 3/2/20  
definitions; 20 CSR 500 7.020; 3/2/20  
disclosure of coverage limitation; 20 CSR 500 7.060; 3/2/20  
disclosure of premiums and charges; 20 CSR 500 7.050; 3/2/20  
general instructions; 20 CSR 500 7.030; 3/2/20  
policy and endorsement forms; 20 CSR 500 6.100; 3/2/20  
special circumstances for policy delay; 20 CSR 500 7.090; 3/2/20  
standards for policy issuance; 20 CSR 500 7.200; 3/2/20

**LABOR AND INDUSTRIAL RELATIONS, DEPARTMENT OF****Missouri commission on human rights**

complaint, investigation, and conciliation processes; 8 CSR 60 2.025; 2/18/20, 6/15/20  
preservation of records and posting of posters and interpretations; 8 CSR 60 3.010; 2/18/20, 6/15/20

**workers' compensation, division of**

presumption of occupational disease for first responders; 8 CSR 50 5.005; 5/15/20

**MENTAL HEALTH, DEPARTMENT OF****adequate staff;**

9 CSR 40 6.075; 6/15/20  
9 CSR 40 7.075; 6/15/20  
9 CSR 40 8.075; 6/15/20  
9 CSR 40 10.075; 6/15/20

**admission criteria;**

9 CSR 40 3.115; 6/15/20  
9 CSR 40 4.115; 6/15/20  
9 CSR 40 9.115; 6/15/20  
9 CSR 40 10.115; 6/15/20

**admission criteria for psychiatric group homes II;** 9 CSR 40 4.116; 6/15/20**administrative policies and procedures;** 9 CSR 40 2.075; 6/15/20**care, treatment, habilitation and rehabilitation;**

9 CSR 40 3.135; 6/15/20  
9 CSR 40 4.135; 6/15/20  
9 CSR 40 9.135; 6/15/20  
9 CSR 40 10.135; 6/15/20

**definitions;** 9 CSR 40 1.015; 6/15/20**dietary services;** 9 CSR 40 1.080; 6/15/20**eligibility determination, assessment, and treatment planning in community psychiatric rehabilitation programs;** 9 CSR 30 4.035; 6/1/20**environment;** 9 CSR 40 1.085; 6/15/20**fire safety;**

9 CSR 40 4.155; 6/15/20  
9 CSR 40 9.155; 6/15/20  
9 CSR 40 10.155; 6/15/20

**fire safety and emergency preparedness;** 9 CSR 40 1.090; 6/15/20**food services;**

9 CSR 40 6.055; 6/15/20  
9 CSR 40 7.055; 6/15/20  
9 CSR 40 9.055; 6/15/20  
9 CSR 40 10.055; 6/15/20

**general medical and health care;**

9 CSR 40 6.035; 6/15/20  
9 CSR 40 7.035; 6/15/20  
9 CSR 40 9.035; 6/15/20  
9 CSR 40 10.035; 6/15/20

**implementation of licensing authority for certain day programs and community residential facilities;** 9 CSR 40 1.105; 6/15/20**individual rights and responsibilities;** 9 CSR 40 1.065; 6/15/20

licensing procedures; 9 CSR 40 1.055; 6/15/20  
maintenance, housekeeping and laundry;

9 CSR 40 4.145; 6/15/20  
9 CSR 40 9.145; 6/15/20  
9 CSR 40 10.145; 6/15/20

organized record system; 9 CSR 40 1.070; 6/15/20  
person centered services; 9 CSR 40 1.075; 6/15/20  
physical plant;

9 CSR 40 6.015; 6/15/20  
9 CSR 40 7.015; 6/15/20

physical plant requirements;  
9 CSR 40 9.015; 6/15/20  
9 CSR 40 10.015; 6/15/20

program administration; 9 CSR 40 1.060; 6/15/20  
program and staffing requirements;

9 CSR 40 4.001; 6/15/20  
9 CSR 40 9.075; 6/15/20

provider requirements and program structure; 9 CSR 40 6.001; 6/15/20

**recordkeeping;**

9 CSR 40 4.095; 6/15/20  
9 CSR 40 9.095; 6/15/20  
9 CSR 40 10.095; 6/15/20

resident and client rights; 9 CSR 40 2.015; 6/15/20

service delivery process and documentation;

9 CSR 30 3.100; 6/1/20  
9 CSR 10 7.030; 6/1/20

**MISSOURI DEPARTMENT OF TRANSPORTATION**

outdoor advertising in zoned and unzoned commercial and industrial areas; 7 CSR 10 6.040; 6/15/20

skill performance evaluation certificates for commercial drivers;  
7 CSR 10 25.010; 4/15/20

**MO HEALTHNET DIVISION**

diabetes prevention program; 13 CSR 70 25.130; 3/16/20, 7/15/20  
direct medicaid payments; 13 CSR 70 15.015; 6/1/20

durable medical equipment program; 13 CSR 70 60.010; 3/2/20, 7/1/20

electronic visit verification (EVV); 13 CSR 70 3.320; 8/17/20  
federal reimbursement allowance (FRA); 13 CSR 70 15.110; 6/1/20  
filing of claims, mo healthnet program; 13 CSR 70 3.100; 3/2/20, 7/1/20

global per diem adjustments to nursing facility and hiv nursing facility reimbursement rates; 13 CSR 70 10.016; 3/2/20, 7/1/20

hearing aid program; 13 CSR 70 45.010; 6/15/20

inpatient hospital services reimbursement methodology; 13 CSR 70 15.010; 6/1/20

national drug code requirement; 13 CSR 70 20.340; 3/2/20, 7/1/20  
personal care program; 13 CSR 70 91.010; 6/1/20

private duty nursing; 13 CSR 70 95.010; 6/1/20

**911 SERVICE BOARD, MISSOURI**

addressing the board; 11 CSR 90 1.050; 6/15/20  
application requirements and submission procedure; 11 CSR 90 2.020; 6/15/20

application review and decision; 11 CSR 90 2.030; 6/15/20

board meetings; 11 CSR 90 1.040; 6/15/20

code of ethics; 11 CSR 90 1.030; 6/15/20

definitions; 11 CSR 90 2.010; 6/15/20

funding rates; 11 CSR 90 3.010; 6/15/20

organization and administration; 11 CSR 90 1.020; 6/15/20

overview; 11 CSR 90 1.010; 6/15/20

project administration; 11 CSR 90 2.040; 6/15/20

protests; 11 CSR 90 2.050; 6/15/20

**PHARMACY, STATE BOARD OF**

administration by medical prescription order; 20 CSR 2220 6.040; 8/17/20

administration of vaccines per protocol; 20 CSR 2220 6.050; 8/17/20  
approved Missouri schools/colleges of pharmacy; 20 CSR 2220 7.027; 2/3/20, 6/1/20  
general fees; 20 CSR 2220 4.010; 8/3/20  
generic drug substitution; 20 CSR 2220 3.011; 6/1/20  
intern pharmacist licensure; 20 CSR 2220 7.025; 2/3/20, 6/1/20, 8/17/20  
non dispensing activities; 20 CSR 2220 6.055; 3/16/20, 7/15/20  
pharmacist authority to prescribe pursuant to section 338.665; 20 CSR 2220 6.200; 4/15/20  
pharmacist license renewal and continuing pharmacy education; 20 CSR 2220 7.080; 8/17/20  
pharmacy technician and intern pharmacist supervision; 20 CSR 2220 2.710; 3/16/20, 7/15/20  
remote data entry; 20 CSR 2220 2.725; 3/16/20, 7/15/20  
return and reuse of drugs and devices; 20 CSR 2220 3.040; 6/15/20

**PROFESSIONAL COUNSELORS, COMMITTEE FOR  
client welfare; 20 CSR 2095 3.015; 3/16/20, 7/15/20**

**PROFESSIONAL REGISTRATION, DIVISION OF  
designation of license renewal dates and related renewal; 20 CSR 2231 2.010; 6/1/20**

**PUBLIC SAFETY, DEPARTMENT OF  
alcohol and tobacco control, division of**  
unlawful discrimination and price scheduling; 11 CSR 70 2.190; 6/1/20  
**fire safety, division of**  
blasting licensing, registration, notification, requirements, and penalties; 11 CSR 40 7.010; 6/1/20  
fireworks licensing, permits, sales, inspection, and penalties; 11 CSR 40 3.010; 6/1/20  
**missouri gaming commission**  
additional application information for bingo and pull tab licenses; 11 CSR 45 30.090; 7/1/19, 1/15/20, 7/1/20  
deposit account taxes and fees; 11 CSR 45 11.020; 1/15/20, 7/1/20  
member(s) in charge; 11 CSR 45 30.130; 7/1/19, 1/15/20, 7/1/20  
refund claim for refund; 11 CSR 45 11.110; 7/1/19, 1/15/20, 7/1/20  
**peace officer standards and training program**  
minimum standards for a certified basic training course; 11 CSR 75 14.050; 8/3/20  
Missouri peace officer license exam; 11 CSR 75 13.050; 8/3/20

**PUBLIC SERVICE COMMISSION**  
cogeneration and smaller power production; 20 CSR 4240 20.060; 7/1/20  
drug and alcohol testing; 20 CSR 4240 40.080; 1/15/20, 6/1/20  
incident, annual, and safety related condition reporting requirements; 20 CSR 4240 40.020; 1/15/20, 6/1/20  
net metering; 20 CSR 4240 20.065; 7/1/20  
requirements for electric utility cogeneration tariff filings; 20 CSR 4240 3.155; 7/1/20  
safety standards liquefied natural gas facilities; 20 CSR 4240 40.033; 1/15/20, 6/1/20  
safety standards transportation of gas by pipeline; 20 CSR 4240 40.030; 1/15/20, 6/1/20

**REAL ESTATE APPRAISERS**

expiration and renewal; 20 CSR 2245 4.020; 6/1/20  
requirements; 20 CSR 2245 8.010; 6/1/20  
trainee real estate appraiser registration; 20 CSR 2245 3.005; 3/2/20, 6/15/20

**REAL ESTATE COMMISSION, MISSOURI**

additional requirements for approved schools offering distance delivered courses; 20 CSR 2250 7.080; 6/1/20  
application and license fees; 20 CSR 2250 5.020; 1/15/20, 6/1/20, 6/15/20  
application for accreditation; 20 CSR 2250 7.020; 6/1/20  
applications for license; 20 CSR 2250 3.010; 6/1/20  
broker salesperson and salesperson licenses; transfers; inactive salespersons; 20 CSR 2250 4.050; 6/1/20  
continuing education requirements for licensees; 20 CSR 2250 10.100; 6/1/20  
expiration and renewal; name and address changes; 20 CSR 2250 4.020; 6/1/20  
license examinations; 20 CSR 2250 3.020; 6/1/20  
partnership, association, or corporation license; 20 CSR 2250 4.070; 6/1/20  
place of business; 20 CSR 2250 8.010; 6/1/20

**RETIREMENT SYSTEMS**

the county employees' retirement fund  
additional provisions; 16 CSR 50 20.120; 8/17/20  
distribution of accounts; 16 CSR 50 20.070; 8/17/20  
the public school retirement system of Missouri  
disability retirement;  
16 CSR 10 5.020; 7/1/20  
16 CSR 10 6.070; 7/1/20  
payment of funds to the retirement system;  
16 CSR 10 3.010; 3/2/20, 6/15/20  
16 CSR 10 6.020; 3/2/20, 6/15/20

**REVENUE, DEPARTMENT OF**

bad debts credit or refund; 12 CSR 10 102.100; 2/3/20, 6/1/20  
commercial driver license requirements/exemptions; 12 CSR 10 24.305; 6/1/20  
dealer seminar certification requirements; 12 CSR 10 26.210; 6/1/20  
hearings; 12 CSR 10 24.030; 6/1/20  
lease rental companies; 12 CSR 10 23.550; 2/3/20, 6/1/20

**SAFE DRINKING WATER COMMISSION**

backflow prevention assembly tester certification; 10 CSR 60 11.030; 7/1/20  
certification of public water system operators; 10 CSR 60 14.020; 6/1/20  
laboratory certification fee; 10 CSR 60 16.020; 8/17/20  
laboratory services and program administration fees; 10 CSR 60 16.030; 8/17/20  
levy and collection of the Missouri primacy fee; 10 CSR 60 16.010; 8/17/20  
operator certification fees; 10 CSR 60 16.040; 8/17/20  
prevention of backflow; 10 CSR 60 11.010; 7/1/20

**SECRETARY OF STATE**

initiative, referendum, new party, and independent candidate petitions  
Missouri voter registration system and other computerized processing options; 15 CSR 30 15.030; 3/2/20, 6/15/20

**SOCIAL WORKERS, STATE COMMITTEE FOR**

fees; 20 CSR 2263 1.035; 6/15/20  
registration of supervised social work experience; 20 CSR 2263 2.032; 8/3/20

**STATE TAX COMMISSION**

agricultural land productive values 12 CSR 30 4.010; 2/3/20, 6/15/20

**STATE LOTTERY**

claim period; 12 CSR 40 50.050; 8/3/20

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**JOHN R. ASHCROFT  
SECRETARY OF STATE**

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## Administrative Rules Contact Information

### **General Inquiries**

(573) 751-4015

[rules@sos.mo.gov](mailto:rules@sos.mo.gov)

#### **Curtis W. Treat, Editor-in-Chief**

(573) 751-2022

[curtis.treat@sos.mo.gov](mailto:curtis.treat@sos.mo.gov)

#### **John C. Stegmann, Managing Editor**

(573) 522-2196

[john.stegmann@sos.mo.gov](mailto:john.stegmann@sos.mo.gov)

#### **Vonne Kilbourn, Editor**

(573) 751-1818

[vonne.kilbourn@sos.mo.gov](mailto:vonne.kilbourn@sos.mo.gov)

#### **Jennifer Alex Moore, Associate Editor**

(573) 522-2593

[jennifer.moore@sos.mo.gov](mailto:jennifer.moore@sos.mo.gov)

#### **Jacqueline D. White, Publication Specialist**

(573) 526-1259

[jacqueline.white@sos.mo.gov](mailto:jacqueline.white@sos.mo.gov)

#### **Tammy Winkelmann, Administrative Aide**

(573) 751-4015

[tammy.winkelmann@sos.mo.gov](mailto:tammy.winkelmann@sos.mo.gov)